

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
REGULAR SESSION
Of 1977

**HELD IN THE CITY OF MONTGOMERY, ALABAMA,
COMMENCING TUESDAY, FEBRUARY 1, 1977**



Vol. 3

**WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE**

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HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
REGULAR SESSION OF 1977**

TWENTY-EIGHTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 3, 1977

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Gary Brinkley, Pastor, Baptist Church, Wagarville, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce,

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-seventh legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the twenty-seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-seventh legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 481. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, and for debt service, capital improvements, and for the public schools for the fiscal year beginning October 1, 1977.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1238. Relating to the fourteenth judicial circuit; creating the position of investigator for the district attorney of such circuit and providing for the powers, duties and compensation of such investigator.

Also:

H. 1239. To name the football stadium at Holt High School in Tuscaloosa, Alabama the "Woody Clements Stadium."

Also:

H. 235. To amend further Section 3 of Act No. 1945, H. 584, Regular Session 1971 Acts 1971, p. 3143), as last amended, which provides for and regulates the employment of county engineers so as to provide that the county engineer in certain counties need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of the county engineer's salary.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Messrs. Edwards, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce:

H. J. R. 557. MOURNING THE DEATH OF ROLAND COOPER, PROMINENT WILCOX COUNTY BUSINESSMAN, CATTLE FARMER, FORMER STATE SENATOR AND PROBATE JUDGE.

WHEREAS, the Legislature of Alabama has been deeply grieved by the tragic death of our former colleague and beloved friend, Roland Cooper, on April 30, 1977, at the age of 63; and

WHEREAS, Roland Cooper, son of Mr. and Mrs. W. R. Cooper, was born and reared on a farm in Robertsedale, Alabama, was educated in the public schools of Baldwin County and moved to Camden in 1935 while employed by the State Highway Department; he later was a cattle farmer and had been the owner of an automobile dealership since 1945; and

WHEREAS, he was a prominent and powerful figure in local, county and state politics having served for two terms as mayor of Camden, was a delegate to the 1952 Democratic National Convention and was elected to five terms in the Senate, resigning during his fifth term to accept Governor George Wallace's appointment as Probate Judge of Wilcox County; during his tenure in the Senate, he served as chairman of numerous important committees, was an acknowledged expert in parliamentary procedure, and was three times voted "Most Effective Senator" by the press, radio and television reporters; and

WHEREAS, Judge Cooper was further actively involved in many other governmental, business, civic, charitable and religious affairs of his community and state, serving as past president of the Alabama Automobile Dealers Association, past director of the Alabama League of Municipalities, as a member of the Board of Trustees of the University of South Alabama, and Chairman of the Wilcox Memorial Hospital Board; he was a Mason, Shriner, member of the Camden Exchange Club and of the Camden Baptist Church; and

WHEREAS, this Legislature, in its awareness and appreciation of Roland Cooper's many significant and lasting contributions to the State of Alabama, desires to pay tribute to this great leader; he will be deeply missed and long remembered with love, affection and esteem by his family, his many friends, and by all those who were privileged to know him; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do grievously mourn the death of our good friend, Roland Cooper, and extend our most heartfelt sympathy to the members of his family.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his wife, Stella Handy Cooper; his son, William Roland Cooper; his daughter Betty, Mrs. George Mathews of Montgomery; and to his daughter Judy, Mrs. Richard Shattuck of North Little Rock, Arkansas, that they may know of our concern for them, and that we share in their great loss.

On motion of Mr. Edwards, the rules were suspended and the resolution, H. J. R. 557, was adopted.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, H. J. R. 556, and ordered same returned to the House with a favorable report:

H. J. R. 556. DEDICATING THE CODE OF ALABAMA 1975 TO THE HONORABLE ROBERT H. HARRIS.

On motion of Mr. Hill the resolution, H. J. R. 556, was adopted.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, H. R. 555, and ordered same returned to the House with a favorable report:

H. R. 555. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO S. B. 422.

On motion of Mr. White, the resolution, was adopted.

Yeas 42; Nays 31.

Yeas:

Mr. Speaker, Andrews, Armstrong, Biddle, Callahan, Carothers, Carter, Coburn, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Ford, Gafford, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Holley, Hopping, Killian, Leonard, Lutz, McClusky, McMillan, McNees, Manley, Martin, Moore (O), Moore (W), Roberts, Smith (B), Smith (C), Waggoner, Warren, Weeks, White and Younce.

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Nays:

Messrs.: Baker, Boles, Buskey, Campbell, Cates, Edwards, Folmar, Glass, Gregg, Harrison, Holmes (D), Howard, Johnson, Johnstone, Jolly, Kelley, Kinsey, Lockett, McNair, Merrill, Mitchem, Naramore, Plaster, Quarles, Shelton, Shoemaker, Smith (J), Sparks, Trammell, Venable and Wyatt.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 480. To provide that certain Lee County officers, i.e.: tax collector and tax assessor be placed on a salary; to provide further the amount and mode of payment; to establish clerk hire allowances for such officers, and to provide for the payment from the general funds of the county.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 558. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business for May 3, 1977, taking precedence over any other business of the House.

Report of Standing Committees

Commendation and Sympathy Resolutions

Introduction of Bills

Uncontested Local Bills

Unfinished Business

S. B. 422	p. 67	Roll Back
H. B. 874	p. 157	Securities Commission

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S. B. 400	p. 25	Non-resident Contractors
S. B. 401	p. 25	Heavy Duty Equipment
H. B. 1332	p. 64	Attorney General's Office
H. B. 1294	p. 30	Motor Vehicle Purchase
H. B. 1351	p. 60	State Docks-Columbia
S. B. 469	p. 2	Blasting

Beginning with House Member number 29 on Thursday's list and continuing through list.

AMENDMENT OFFERED

Mr. Carothers offered the following amendment to the resolution, H. R. 558:

Amend H. R. 558 by adding after S. B. 469 the following bill: H. B. 947

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 42; Nays 4.

Yeas:

Mr. Speaker, Andrews, Boles, Carothers, Carter, Cates, Crawford, Crowe, Dial, Drake, Falkenburg, Folmar, Gafford, Goodwin, Holmes (D), Hop-ping, Jackson (F), Kelley, Killian, Kinsey, Lockett, Lutz, McNees, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Plaster, Shelton, Shoemaker, Smith (B), Smith (C), Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

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Nays: Messrs.: Campbell, Hilliard, McNair and Riddick.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION ADOPTED

And the resolution, H. R. 558 as amended, was adopted.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the follow-ing bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 234. To exempt Bibles from sales and use taxes.

S. 323. To amend Section 131 of Title 29, Code of Alabama 1940, which section deems it unlawful to sell, give away or possess apparatus to be used for manufacturing any prohibited liquors or beverages so as to exempt from such provisions certain purchases of wine making kits.

S. 395. To amend Section 665, Title 7, Code of Alabama 1940, as recompiled 1958, relating to exemption of personal property from estate of a deceased so as to increase the amount of such exemption and provide that it shall be in favor of a surviving spouse and minor child or children or either.

Mr. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 533. To provide that Alabama enter into the Interstate Agreement on Detainers Act, with other member-states, which promotes co-operation between the several states to secure a speedy trial of persons already incarcerated in other jurisdictions by the expeditious and orderly disposition of all detainers based on untried indictments, information or complaints; and to further provide for the uniform mandatory disposition of detainers so as to prescribe the manner and procedures for release of detainers available to incarcerated persons against whom there is pending untried indictments, information or complaints.

S. 335. To provide that any defendant represented by counsel in a criminal case may enter a written plea of not guilty prior to his arraignment, and that such plea shall constitute a waiver of his right to have an arraignment at which he is present in person or represented in person by an attorney.

Mr. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 734. (With Amendment): To revise the present bail system, establishing four kinds of bail (PERSONAL RECOGNIZANCE, CASH, PROPERTY, PROFESSIONAL SURETY); and to establish rules, regulations, and laws to guarantee that all persons, regardless of the financial or social status, shall not needlessly be detained pending their appearance to answer charges; and to update laws which regulate bail bond companies; and to establish more lenient property bail; and said act shall be known as "The Alabama Bail Reform Act of 1977."

Mr. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 144. (With Substitute): To prescribe the procedure for securing the attendance of witnesses from without the state in criminal proceedings in Alabama and of witnesses within this state in criminal proceedings in other states; to provide penalties for failure to obey a summons to testify issued pursuant to this act; and to provide for immunity to such witness from arrest or service of process, civil or criminal, while in this state in obedience to a summons issued hereunder in connection with matters which arose before his entrance into this state under the summons.

Mr. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 54. To provide further for the organization, admission, consolidation, merger and dissolution of certain corporations, and to prescribe the powers, authority and duties of such corporations, and of the officers, directors and shareholders thereof; subject to the provisions of Section 188 of this Act, to repeal Sections 1 through 86, and 90 through 101 of

Act No. 414, General Acts of Alabama, Regular Session 1959, as amended; and Sections 132 through 137 of Title 13 of the Code of Alabama of 1940.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 785. Relating to all counties having populations of not less than 12,700 nor more than 13,100 inhabitants according to the 1970 or any subsequent federal decennial census; providing that the county governing body in any such county is authorized and empowered to pay the employer's share of social security or F.I.C.A. payments on elected officials.

S. 834. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Mr. McNair, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 688. To provide and regulate a tax exemption for annexed territory of incorporated municipalities with populations of 2,000 or more in any county having a population of 600,000 or more according to the 1970 or any subsequent federal decennial census.

Mr. Wyatt, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

S. 619 (With Substitute) (With Amendments): To repeal Act No. 736, H. 1821, Regular Session 1973 (Acts 1973, p. 1096), relating to county supplemental salaries for retired or supernumerary circuit judges of the twenty-third judicial circuit.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1079. Providing for purging the lists of registered voters in Walker County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

S. 540. To re-enact and to amend further Act No. 519, H. 1172 of the 1975 Regular Session (Acts of Alabama, 1975, Vol. II, p. 1165), which relates to the power of boards of education in counties having populations of not less than 90,000 nor more than 100,000 inhabitants, to borrow money for capital outlay purposes, so as to delete provisions in such acts relative to the distribution of the revenues derived from the tax on malt or brewed beverages and the provisions for establishment of an advisory council, and to regulate further the procedure for obtaining loans and the time within which the loan must be repaid.

S. 620. To authorize the board of education of Etowah County to borrow money for capital outlay purposes for the county school system and to pledge to the repayment thereof the revenues derived from the county tax on the sale of malt or brewed beverages in the county; to regulate the procedure for obtaining loans and the use of the proceeds thereof; to prescribe the time within which the loan must be repaid; and to provide for the payment of any outstanding indebtedness should the county cease, at any time in the future, to be a "wet" county.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 841 (With Amendment): Relating to any county having a population of not less than 95,000 nor more than 115,000 according to the 1970 or any subsequent federal decennial census; to set the county license commissioner's salary.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 843. Relating to any county having a population of not less than 95,000 nor more than 115,000 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the county coroner.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 864. (With Amendment): To amend Section 1 of Act No. 354, H. 603 of the Regular Session of 1963 (Acts 1963, p. 854) which provides an expense allowance for the mayor and city commissioners of cities having populations of not less than 50,000 nor more than 60,000 according to the 1970 or any subsequent federal decennial census, so as to raise such allowances.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 865. Relating to cities in the state having a population of not less than 50,000 nor more than 60,000 inhabitants according to the 1970 or any subsequent federal decennial census; providing that the city commission of any such city shall be authorized to establish their meeting dates by resolution.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 550. COMMENDING JAMES L. PAULK.

Also:

H. J. R. 552. HONORING DR. G. J. COTTIER ON HIS RETIREMENT.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 264. To prescribe, authorize and regulate investments of life, disability, and burial insurance companies.

Also:

S. 266. To allow the Commissioner of Insurance to place an insurance company under an order of supervision after a hearing thereon by appropriate order; setting forth certain prohibited acts while under supervision without prior approval.

Also:

S. 285. To amend Sections 32 and 33 of Title 18 of the Code of Alabama 1940, as amended, relating to electric cooperatives, so as to provide that such cooperatives may process, treat, sell and dispose of water and water rights; purchase, sell, lease, construct, own and operate water systems and sanitary sewer systems, supply water and sanitary sewer services, to exercise the power of eminent domain, to issue notes, bonds, mortgages and other evidences of indebtedness to finance such undertakings.

Also:

S. J. R. 2. MOURNING THE DEATH OF ALLEN WILBERT BAILEY.

Also:

S. J. R. 3. MOURNING THE TRAGIC DEATH OF FIREMEDIC MIKE PATRICK OF GADSDEN.

Also:

S. J. R. 4. MOURNING THE TRAGIC DEATH OF FIREMEDIC MIKE THORNTON OF GADSDEN.

Also:

S. J. R. 5. MOURNING THE TRAGIC DEATH OF GADSDEN FIRE CHIEF RALPH SPEER.

Also:

S. J. R. 6. COMMENDING CLETE QUICK FOR HIS OUTSTANDING CONTRIBUTIONS TO THE NORTH ALABAMA LEGISLATIVE COUNCIL.

Also:

S. J. R. 7. COMMENDING DR. RICHARD THIGPEN FOR HIS OUTSTANDING LEADERSHIP AS ACTING CHIEF OFFICER OF THE UNIVERSITY OF ALABAMA.

Also:

S. J. R. 8. COMMENDING DR. F. DAVID MATHEWS FOR HIS SERVICE AS UNITED STATES SECRETARY OF HEALTH, EDUCATION AND WELFARE.

Also:

S. J. R. 9. COMMENDING MARCIA KUNSTEL FOR HER "CAPITOL HILL" COVERAGE AND WISHING HER SUCCESS IN HER NEW JOURNALISTIC ENDEAVOR.

Also:

S. J. R. 281. MEMORIALIZING CONGRESS TO ALLOW REGULATION OF SURFACE MINING OF COAL TO REMAIN IN THE HANDS OF THE STATES.

Also:

S. J. R. 327. MOURNING THE DEATH OF R. E. L. COPE, II, PROMINENT BULLOCK COUNTY ATTORNEY.

Also:

S. J. R. 329. PROCLAIMING THE DATES OF APRIL 23 AND 24, 1977 AS "GEORGE LINDSEY DAYS".

Also:

S. J. R. 330. CONGRATULATING THE STAFF AND STUDENTS OF AUSTIN HIGH SCHOOL OF DECATUR FOR A THIRD CONSECUTIVE RECORD SETTING BLOOD DRIVE.

Also:

S. J. R. 331. COMMENDING DENSEL BARNETT, CLEVELAND SMITH, BILLY RAY BOWLING AND COLEMAN SMITH FOR THEIR HEROIC, LIFESAVING RESCUE OF PATRICK BRAZIER.

Also:

S. J. R. 334. REJECTING THE REPORT OF THE STATE JUDICIAL COMPENSATION COMMISSION FOR SALARIES AND EXPENSE ALLOWANCES FOR THE JUDICIARY SUBMITTED FEBRUARY 1, 1977.

Also:

S. J. R. 335. TO ESTABLISH THE LIMESTONE COUNTY ELECTED OFFICIALS COMMISSION.

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Also:

S. J. R. 337. NOTING THE RETIREMENT OF MISS LOUISE RICE AND COMMENDING HER FOR OUTSTANDING SERVICE TO THE STATE OF ALABAMA.

Also:

S. J. R. 338. CONGRATULATING KENNETH BRYAN, LIONS CLUB BOY OF THE YEAR.

Also:

S. J. R. 339. TO NAME THE ENGINEERING BUILDING ON THE CAMPUS OF THE UNIVERSITY OF ALABAMA IN BIRMINGHAM CUDWORTH HALL.

Also:

S. J. R. 340. TO NAME THE NEW BASIC SCIENCES BUILDING IN THE MEDICAL CENTER OF THE UNIVERSITY OF ALABAMA IN BIRMINGHAM VOLKER HALL.

Also:

S. J. R. 341. NAMING THE NATIONAL GUARD ARMORY IN DECATUR THE FORT QUARLES-FLOWERS ARMORY.

Also:

S. J. R. 342. NAMING THE CENTRE BYPASS IN CENTRE, ALABAMA, ON STATE HIGHWAY 68, IN COMMEMORATION OF CLARENCE E. CHESNUT, JR.

Also:

S. J. R. 343. NAMING THE ROAD INTO WOOD ACRES FROM THE OLD BARWELL ROAD, COUNTY ROAD 3, WHICH CONNECTS WITH MARLOW ROAD, COUNTY ROAD 32, IN BALDWIN COUNTY, ALABAMA, "WOOD ACRES DRIVE."

Also:

S. J. R. 344. COMMENDING AND CONGRATULATING BART STARR ON HIS SELECTION TO THE NATIONAL FOOTBALL HALL OF FAME, CANTON, OHIO.

Also:

S. J. R. 345. MOURNING THE DEATH OF WILLIAM M. HODGSON, PROMINENT BALDWIN COUNTY BUSINESSMAN.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 2. To provide that all liquefied petroleum gas which is purchased from gas fields in Alabama shall be either metered or weighed and an invoice showing the amount of gas purchased shall be given to the purchaser or his agent and prescribes penalties for the violation of the provisions of the act.

Also:

S. 165. To regulate the expense allowances in the Twenty-Fifth Judicial Circuit for circuit judges and the district attorney; and to make the provisions of this Act retroactive to January 16, 1977.

Also:

S. 269. To amend Section 520, Title 52, Code of Alabama 1940, as amended, relating to the appointment of the board of trustees of the Alabama Institute for Deaf and Blind, so as to provide further for the appointment of board members.

Also:

S. 367. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the 1970 or any subsequent federal decennial census; providing for the expense allowance for members of the county board of education; and repealing conflicting laws.

Also:

S. 456. To amend the title and Section 1 of Act No. 638, H. 234 of the 1976 Regular Session (Acts 1976, Vol. II, p. 886), so as to transfer all funds collected thereunder into a fund to be designated as "Probationers' Upkeep Fund" and to have all such funds subsequently collected deposited in the state treasury to the credit of that fund for the use by the Board of Pardons and Parole for the purposes stated in said section; and to make an immediate appropriation from the funds collected pursuant to the act.

Also:

S. 544. To amend Code of Alabama, 1940, Title 35, Sections 186 and 187, relating to the Armory Commission, so as to extend the succession of its corporate name from thirty years to as long as there exists in the State of Alabama a National Guard or Militia of Alabama and provide that the members of the commission shall serve for a term of six (6) years.

Also:

S. 568. Relating to the thirty-fourth judicial circuit, authorizing the clerk of the circuit court to appoint a full-time clerk, and providing that the said clerk's salary shall be payable from the county composing the circuit.

Also:

S. 634. To amend Act No. 1949, H. 894, Legislature of 1971 (Regular Session), approved September 20, 1971 (Acts of 1971, Vol. IV, p. 3151), "an

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Act to regulate the sale, offering for sale, distribution and transportation of pesticides by prescribing certain conditions and requirements therefor" etc., by amending Sections 3, 6 and 9 of said Act to make it unlawful for a person to use any pesticide in a manner inconsistent with its label, and to omit the provisions of Section 6(3) and Section 9(4) that certain users of pesticides are exempt from the requirements of this Act relating to pesticide use permits for use of a restricted use pesticide.

Also:

S. 641. Relating to Baldwin County; providing for a more convenient and economical system of serving notices to delinquent taxpayers.

Also:

S. 653. To provide for the reopening of the Employees' Retirement System of the City of Montgomery in Montgomery County to those employees with prior service, who either declined membership at the time of establishment, or who have nonmembership service but who later joined the Employees' Retirement System; to reopen said system to employees who have creditable service for which they are ineligible to gain credit for reasons other than nonmembership; and to repeal all conflicting statutes.

Also:

S. 713. Relating to Cullman County; to protect and preserve water purification and prevent water contamination by prohibiting strip mining of coal or other minerals in certain areas contiguous to Lewis Smith Lake in Cullman County; to prescribe penalties and sanctions for violations; and generally to promote the health and welfare of the inhabitants of Cullman County.

Also:

S. 740. To allow prospective jurors in capital cases to be excused without the presence of the defendant in the twenty-eighth judicial circuit of Alabama.

Also:

S. 802. Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the 1970 or any subsequent federal decennial census; to provide for the appointment of deputy sheriffs, clerks, jailers and cooks and to fix their salaries.

Also:

S. 803. Relating to DeKalb County; to authorize the DeKalb County governing body and municipal governing bodies within DeKalb County to regulate the use of explosives for surface mining activities within their respective police jurisdictions.

Also:

S. 826. To provide a procedure for altering or rearranging the boundary lines of the Town of Henager, DeKalb County, Alabama, so as to include within the corporate limits of said Town, all territory now within such corporate limits and also certain other territory contiguous thereto in DeKalb County, Alabama.

Also:

S. 827. Relating to DeKalb County; further regulating the salary of the members of the board of equalization, the board of registrars and the jury commission.

Also:

S. 838. Relating to Marshall County; to provide for the number, classification and compensation of employees of the office of the sheriff of Marshall County, and the manner of payment of said compensation; authorizing the sheriff to receive the allowances prescribed by law for feeding prisoners and requiring him to make monthly statements relative thereto; and repealing conflicting laws, specifically Act No. 985, 1975 Regular Session (Acts 1975, p. 2014).

Also:

S. 842. Relating to any county having a population of not less than 95,000 nor more than 115,000 according to the 1970 or any subsequent federal decennial census; to designate one-half of the pistol permit fees to be paid into the general fund of the county treasury to be used by the sheriff at his discretion relative to such office.

Also:

S. J. R. 12. NAMING A PORTION OF U.S. HIGHWAY 80 THE WALTER C. GIVHAN PARKWAY.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution introduced on the twenty-seventh legislative day, was read by title pursuant to Joint Rule 11:

S. J. R. 333. Congratulating Mr. Watt A. Ellis, candidate for Watershed-Man-Of-The-Year.

On motion of Mr. Crowe, the resolution was adopted en masse.

RESOLUTION

The following resolution was introduced:

By Messrs. Sparks and Drake:

H. J. R. 559. MOURNING THE DEATH OF JUDGE KENNETH JOHNSON GRIFFITH.

WHEREAS, The Legislature of Alabama has noted with a sense of deep regret the death of Judge Kenneth J. Griffith on April 22, 1977, at the age of 69, in Cullman, Alabama; and

WHEREAS, Judge Griffith, who was a native of Cullman County and a graduate of the University of Alabama Law School, began the practice of law in Cullman in 1908 in partnership with his father, Judge A. A. "Quill" Griffith; and

WHEREAS, in 1949, he was appointed Probate Judge and was later elected, serving for ten years in that position; in 1958 he became circuit judge for the 32nd judicial circuit, retired in 1970, and was appointed supernumary judge for the State of Alabama, in which capacity he was serving at the time of his death; and

WHEREAS, Judge Griffith was a member of the Elks Club, a charter member of the Rotary Club, and had served as president of the Cullman Athletic Stadium Corporation which built the Cullman High School Stadium; in 1973, he also served as chairman of the Cullman Centennial Committee;

WHEREAS, our good friend, Kenneth Griffith was a man who contributed much to his community, county and state; he was beloved of family and friends and will be deeply missed by us all; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Judge Kenneth J. Griffith, extend our sincere sympathy to his family, and direct that copies of this resolution be sent to his wife, Mrs. Frances Boyd Griffith; his sons, Stephen Kenneth Griffith and Robert "Quill" Griffith; his daughter Janice, Mrs. Clark DeJonge of Falls Church, Virginia; and to his mother, Mrs. A. A. Griffith, that they may know of our shared sorrow.

On motion of Mr. Sparks, the rules were suspended and the resolution, H. J. R. 559, was adopted.

RESOLUTION

The following resolution introduced on the twenty-seventh legislative day, was read by title pursuant to Joint Rule 11:

H. J. R. 551. TO CREATE AND PROVIDE FOR A CONTINUING INTERIM TAX STRUCTURE COMMITTEE.

The resolution, H. J. R. 551, was read and referred to the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Cates:

H. R. 560. COMMENDING GENERAL DANIEL JAMES, JR. FOR HIS ADDRESS TO THE NATIONAL GUARD ASSOCIATION OF ALABAMA

WHEREAS General Daniel James, Jr. has achieved high position and great esteem in the United States Air Force; and

WHEREAS General James is Commander-in-Chief, North American Air Defense Command and Commander-in-Chief, United States Air Force Aerospace Defense Command, and has the responsibility for surveillance and air defense of North America; and

WHEREAS General James attended and received his B.S. degree at Tuskegee Institute; and

WHEREAS General James is a combat veteran of World War II, Korea and Vietnam; and

WHEREAS General James has received many awards and honors, both military and civilian; and

WHEREAS General James is well known for his speeches on, and dedication to, Americanism and Patriotism; and

WHEREAS General James on 30 April 1977 at Montgomery, Alabama delivered an inspirational and patriotic address to the National Guard Association of Alabama and guest at the banquet of the Association General Assembly; now therefore

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do heartily commend General Daniel James, Jr. for his great achievements and high recognition and for the inspiring address to the National Guard Association of Alabama.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to General Daniel James, Jr. and to the National Guard Association of Alabama.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 560, on the Clerk's desk for one legislative day.

SPECIAL ORDER

The House then proceeded with the consideration of the uncontested local bills on the Special Order:

And the bill:

H. 254. (With Amendment): To provide for the election of recorders court judges in any city having a population of 300,000 or more inhabitants according to the most recent federal decennial census; to prescribe the term and qualifications for said judges; and to repeal all conflicting statutes.

Which was postponed on the twenty-third legislative day, was taken up.

H. 254 INDEFINITELY POSTPONED

On motion of Mr. Hilliard, the bill, H. 254 with pending amendment, was indefinitely postponed.

And the bill:

S. 638. To provide for a supplemental salary for the circuit judges of the Fourteenth Judicial Circuit, to be paid by the county comprising such circuit; and to fix the amount and method of payment thereof.

Which was postponed on the twenty-seventh legislative day, was taken up.

S. 638 POSTPONED

On motion of Mr. Naramore, the bill, S. 638, was postponed to the twenty-ninth legislative day.

And the bill:

H. 1348. Relating to Lauderdale County; to authorize the game of bingo and raffles, for charitable or public causes, to levy a license fee for such games; and to provide certain limitations, and providing penalties for violations of the act.

Which was amended and postponed on the twenty-seventh legislative day, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 39; Nays 0.

Yeas:

Mr. Speaker, Brindley, Buskey, Campbell, Carter, Coburn, Crawford, Cross, Drake, Falkenburg, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Holley, Holmes (D), Hopping, Jackson (F), Jolly, Kelley, Kinsey, Lee, McCluskey, McNees, Merrill, Naramore, Quarles, Rich, Roberts, Sasser, Smith (C), Smith (M), Venable, Weeks, Whatley, Williams and Wyatt.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BILLS TEMPORARILY POSTPONED

On motion of Mr. Greer, the bills, H. 1363 and H. 1364, which were postponed on the twenty-seventh legislative day, were temporarily postponed.

And the bill:

S. 612. To amend further Section 10 of Act No. 651, S. 524, Regular Session 1976, which relates to the qualifications, election, compensation and duties of the coroner of any county having a population of not less than 300,000 nor more than 600,000, according to the 1970 or any subsequent Federal decennial census.

Was read a third time at length and passed.

Yeas 40; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Crawford, Falkenburg, Folmar, Glass, Greer, Hall, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lutz, McCluskey, McMillan, Merrill, Moore (O), Naramore, Rich, Sandusky, Sonnier, Venable, Waggoner, Weeks, Whatley, White, Williams, Wyatt and Younce.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 304. To amend further Code of Alabama, 1940, Title 37, Section 10, which relates to the incorporation of unincorporated municipalities in order to provide specifically for the incorporation of unincorporated communities on islands in counties having populations of not less than 300,000 nor more than 600,000 according to the 1970 or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 41; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Brindley, Buskey, Callahan, Crawford, Crowe, Falkenburg, Folmar, Ford, Glass, Greer, Hall, Harris, Hill, Hilliard, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kennedy, Kinsey, Lutz, McCluskey, McMillan, Manley, Merrill, Moore (O), Plaster, Sandusky, Smith (M), Sonnier, Venable, Waggoner, Weeks, Whatley, White, Williams and Younce.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BILLS TEMPORARILY POSTPONED

On motion of Mr. Johnson, the bills, S. 738 and S. 837, which were postponed on the twenty-seventh legislative day, were temporarily postponed.

BILL TEMPORARILY POSTPONED

No objection being offered, the bill, H. 1133, was temporarily postponed.

And the bill:

H. 1341. Relating to Choctaw County; to prohibit the consumption and sale or giving away of alcoholic beverages for the purpose of consumption on the premises of retail licensees located outside the police jurisdiction of any municipality, unless a license therefor has been issued by the Alcoholic Beverage Control Board; to authorize municipal governing bodies to prohibit on-premises consumption and sale or giving away for the purpose of consumption of alcoholic beverages, unless a license therefor has been issued by said Board; and prescribing penalties for violation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 41; Nays 0.

Yeas:

Messrs.: Armstrong, Biddle, Buskey, Campbell, Carter, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Goodwin, Greer, Gregg, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kennedy, Killian, Kinsey, Lutz, McCluskey, McMillan, McNees, Martin, Merrill, Mitchem, Naramore, Pegues, Rich, Roberts, Robertson, Sandusky, Sonnier, Waggoner, Weeks, White, Williams and Younce.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

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And the bill:

H. 1349. Relating to all counties having populations of not less than 22,000 nor more than 22,500 inhabitants according to the 1970 or any subsequent federal decennial census; authorizing the governing bodies of such counties to pay certain expenses incurred by the judge of probate and employees assigned to work in the probate judge's office.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 49; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Brindley, Buskey, Campbell, Carter, Cates, Crawford, Crowe, Drake, Falkenburg, Folmar, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Holmes (A), Holmes (D), Howard, Johnstone, Jolly, Killian, Kinsey, Lockett, Lutz, McCluskey, McMillan, Merrill, Mitchem, Moore (O), Naramore, Pegues, Rich, Roberts, Sandusky, Shoemaker, Sonnier, Sparks, Trammell, Venable, Waggoner, Weeks, White, Williams and Younce.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1367. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Coosa County, Alabama; to authorize the governing body of said county to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain courts in said county for such purpose and for the expenditure thereof; to provide for the management and control of said library.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 44; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Campbell, Carter, Cates, Crawford, Drake, Falkenburg, Folmar, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Holmes (A), Holmes (D), Howard, Johnstone, Jolly, Killian, Kinsey, Lockett, Lutz, McCluskey, McMillan, Merrill, Mitchem, Naramore, Owens, Pegues, Plaster, Roberts, Shoemaker, Smith (B), Sparks, Trammell, Venable, Weeks, White, Williams, Wyatt and Younce.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1368. Relating to Coosa County; fixing the terms of office of the members of the county commission.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 42; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Brindley, Buskey, Campbell, Carter, Cooper, Crawford, Drake, Falkenburg, Folmar, Goodwin, Greer, Hall, Harris, Hill, Holmes (D), Howard, Johnstone, Jolly, Killian, Kinsey, Lockett, Lutz, McCluskey, McNees, Merrill, Naramore, Pegues, Plaster, Roberts, Shoemaker, Smith (B), Sparks, Trammell, Venable, Waggoner, White, Williams, Wyatt and Younce.

—42

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1372. Relating to Pickens County; to authorize the governing bodies of Pickens County and the governing bodies of all municipalities within said county to create the Pickens County Park and Recreation Authority, to appropriate funds to such authority, and to abolish existing park and recreation boards upon the establishment of such authority.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Brindley, Buskey, Carter, Cates, Cooper, Crawford, Crowe, Drake, Falkenburg, Folmar, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Killian, Kinsey, Lockett, Lutz, McMillan, McNees, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Roberts, Robertson, Sandusky, Shoemaker, Smith (B), Smith (C), Sonnier, Sparks, Trammell, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—58

And the bill:

H. 1374. To authorize the county governing bodies of all counties having populations of not less than 57,000 nor more than 61,000, according to the 1970 or any subsequent federal decennial census, to formulate, issue, promulgate and enforce any reasonable rules, regulations and directives to regulate further the operation of any motor or motorized vehicle upon coastal beaches or sand dunes located within the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 53; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Brindley, Buskey, Campbell, Carter, Cates, Cooper, Crawford, Crowe, Drake, Folmar, Greer, Hall,

Harris, Hill, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Killian, Kinsey, Lockett, Lutz, McCluskey, McMillan, McNeese, Manley, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Sandusky, Shoemaker, Smith (B), Smith (C), Sonnier, Sparks, Trammell, Venable, Waggoner, Weeks, White, Williams, Wyatt and Younce.

—53

And the bill:

H. 1381. Relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the 1970 or any subsequent federal decennial census; to authorize the probate office to record and preserve on a microfilm system or similar photographic process all records, documents, papers and other instruments received to be entered and recorded by such office.

Was taken up.

SUBSTITUTE OFFERED

Mr. McMillan offered the following substitute to the bill, H. 1381:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the 1970 or any subsequent federal decennial census; requiring the installation in each county of an improved system of indexing and recording documents affecting the title to property and recorded in the office of the judge of probate of such county, so as to provide for the microphotographing of instruments recorded as a part of said improved system; and so as to provide further details with respect to the said improved system, its installation and maintenance, and the duties of the judge of probate with respect thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words and phrases, including the plural of any thereof, whenever used in this act, shall have the following respective meanings:

"The county" means and county subject to the provisions of this act.

"The probate office" means the office of the judge of probate of the county.

"Code" means the Code of Alabama of 1940, Recompiled 1958.

"Effective installation date" means the date designated by the judge of probate of the county as the date when a substantial portion of the improved indexing and recording system herein provided for shall have been first placed in effective and practical operation.

"Miscellaneous instrument" means any instrument or document affecting the title to real property that may have been recorded in the probate office, prior to the effective installation date, in a volume of miscellaneous instruments bearing the designation "Miscellaneous Book," or some similar designation, as distinguished from a Deed Book or Mortgage Book; but shall not include any instrument filed for record after the effective installation date.

"Real property instrument" means and includes any instrument or document affecting the title to real property that may be now or here-

after filed for record in the probate office pursuant to the applicable requirements of the laws of this state, including, but without limitation to Articles 10 and 11 of Chapter 3, of Title 47 of the Code and all statutes providing for the filing and recording of notices or statements of liens of any kind, notices of Lis Pendens, declarations of claims of exemptions, certificates of judgment, and plats or maps showing subdivisions of real estate; but shall not include any miscellaneous instrument.

"General property instrument" means a real property instrument that affects the title to personal property as well as real property.

"Personal property instrument" means any instrument or document affecting the title to personal property only (as distinguished from real property) that may be now or hereafter filed for record in the probate office, in accordance with the applicable requirements of the laws of this state, including particularly said Articles 10 and 11.

"Improved indexing and recording system" means a system of indexing and recording real property instruments, miscellaneous instruments, and personal property instruments in the probate office and, in the discretion of the governing body of the county, of recording other instruments and documents in the probate office, which system, when completed, will consist of the following: (a) The following microphotographed copies; (i) microphotographed copies of all real property instruments, (or of the record of such instruments) or any instrument required by law to be recorded at any time filed for record in the probate office, such copies to be arranged chronologically, according to the date of the filing for record of the original instruments, in such a manner that said copies will be readily available for inspection and which will be most suitable to carry out the intent and purpose of this Act, and which shall be separated into different classifications indicating generally the nature of the instruments recorded in each container of such copies to be designated by the judge of probate of the county. And may include such classifications as "Real Property," "Miscellaneous," "Mechanic's and Materialmen's Liens," "Judgments" and the like; microphotographed copies of any or all of the following records and instruments (or the record thereof) at any time filed for record, recorded or made an official record in the probate office; certificates of incorporation, amendment and dissolution pertaining to corporations, and any other documents properly recorded in the Incorporation Records of the county, Wills, and Records of Adoptions, Legitimations, Marriage Licenses, Administrator's Accounts, and Tax Sales; (b) equipment necessary and suitable to prepare and contain the microphotographed records hereinabove referred to, and to view in enlarged size the said microphotographed records.

"Initial installation costs" means the costs of the initial installation of an improved indexing and recording system.

Section 2. Installation and Maintenance of system. The county commission or like governing body of the county is hereby authorized, directed and required to provide for the installation, and thereafter for the maintenance, of an improved indexing and recording system in the probate office of the county. The initial installation of the improved indexing and recording system shall include the following: (a) The acquisition of the equipment provided for in clause (b) of the definition hereinabove set forth of an improved indexing and recording system; (c) the microphotographing and filing in suitable containers or other receptacles of the public records of all real property instruments, personal property instruments, and miscellaneous instruments that are of record in the probate office of the county on the effective installation date and of any other than existing records in the probate office the

inclusion of which in the improved recording and indexing system provided that such additional microphotographing and filing is approved by resolution of the governing body of the county; (d) the establishment of procedures for the continued microphotographing and filing of all instruments and records that will, after the effective installation date, constitute a part of the improved indexing and recording system. Following its installation in the county, the improved indexing and recording system shall be thereafter maintained in the county and all real property instruments, general property instruments, and personal property instruments and other documents and records herein provided to constitute a part of said system that may be thereafter filed for record or recorded in the probate office of the county shall be photographed, recorded, and indexed in accordance with the aforesaid improved indexing and recording system. Each real property instrument and each personal property instrument shall be operative as a record from the time of its delivery to the judge of probate of the county, in accordance with the provisions of existing law, including particularly Section 98 of Title 47 of the Code.

Section 3. Official and Permanent Records, What Constitutes. On and after the effective installation date, the microphotographic copies of all instruments and records provided herein to be microphotographed shall constitute the official record of such instruments for the purposes of Articles 10 and 11 of Chapter 3 of the Code and all other laws applicable to the recording of any of such instruments and for all other purposes; and the record of real property instruments, personal property instruments, miscellaneous instruments, and other documents and records that may be microphotographed pursuant to the provisions of this act, made in books prior to the effective installation date shall not thereafter constitute official records.

Following the effective installation date, real property instruments, personal property instruments, and other documents and records provided herein to be microphotographed shall no longer be recorded in books.

Section 4. Applicability of Existing Laws. All provisions of the laws of Alabama with respect to the recording and indexing of real property instruments, personal property instruments, general property instruments, miscellaneous instruments, and other instruments and records that may constitute part of an improved indexing and recording system installed hereunder (including, but without limitation to, the provisions of Articles 10 and 11 of Chapter 3 of Title 47 of the Code, and the provisions of all statutes respecting the filing and recording of notices or statements of liens of any kind, notices of Lis Pendens, declarations of claims of exemption, certificates of judgment, or plats or maps showing subdivisions of real estate) that are not inconsistent with the provisions of this act shall continue in effect with respect to an improved indexing and recording system installed hereunder, the recording and indexing of instruments therein, and the duties of the judge of probate with respect thereto.

Section 5. Severability. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. Repeal of Conflicting Laws. All laws or parts of laws which conflict with this act are, to the extent of such conflict, repealed.

Section 7. Effective Date. This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 49; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Biddle, Brindley, Buskey, Carter, Cates, Crawford, Crowe, Drake, Folmar, Glass, Greer, Hall, Hill, Hilliard, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kinsey, Lockett, Lutz, McCluskey, McMillan, McNees, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Roberts, Sandusky, Shoemaker, Smith (B), Sonnier, Sparks, Trammell, Venable, Waggoner, Weeks, White, Williams, Wyatt and Younce.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1381. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the 1970 or any subsequent federal decennial census; requiring the installation in each county of an improved system of indexing and recording documents affecting the title to property and recorded in the office of the judge of probate of such county, so as to provide for the microphotographing of instruments recorded as a part of said improved system; and so as to provide further details with respect to the said improved system, its installation and maintenance, and the duties of the judge of probate with respect thereto.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Buskey, Carter, Cates, Cooper, Crawford, Cross, Crowe, Drake, Folmar, Glass, Greer, Hall, Hill, Hilliard, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kennedy, Kinsey, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Merrill, Mitchem, Naramore, Owens, Pegues, Plaster, Roberts, Sandusky, Shoemaker, Smith (B), Sonnier, Sparks, Trammell, Venable, Weeks, White, Williams, Wyatt and Younce.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 737. Relating to the city school board of Selma; providing for the appointment and terms of the members of such board.

Was read a third time at length and passed.

Yeas 49; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Brindley, Buskey, Campbell, Carter, Cates, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Glass, Greer, Hall, Hill, Hilliard, Hines, Holmes (D), Jackson (F), Johnstone, Jolly, Kinsey, Lutz, McCluskey, McNees, Merrill, Mitchem, Naramore, Owens, Pegues, Plaster, Roberts, Sandusky, Shoemaker, Smith (B), Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 776. To amend the Title and Section 1 of Act No. 1186, H. 1278, 1975 Regular Session (Acts of 1975, p. 2318) entitled, "An Act Relating to Lawrence County; to provide that a certain percentage of the proceeds accruing to the Alabama Department of Aeronautics from any rental or lease agreement covering certain lands in said county shall be deposited to the Lawrence County general fund; requiring all such leases to be let on a competitive bid basis," so as to provide that all of the revenue from the lease of such land shall go to the state aeronautics department.

Was read a third time at length and passed.

Yeas 46; Nays 1.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Brindley, Buskey, Carter, Cates, Cooper, Crawford, Drake, Folmar, Glass, Greer, Hilliard, Holmes (D), Jackson (F), Johnstone, Jolly, Killian, Kinsey, Lee, Lockett, McCluskey, McMillan, McNees, Merrill, Mitchem, Owens, Pegues, Plaster, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Sonnier, Sparks, Trammell, Venable, Waggoner, Weeks, White, Wyatt and Younce.

—46

Nay: Mr. Cross.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1365. To approve an increase in the rate of ad valorem taxation now permitted by the Constitution, as amended, in the City of Mountain Brook by not exceeding three-fourths of one per cent of the assessed valuation of taxable property in said City, the proceeds of said tax to be used for general municipal purposes, pursuant to Article XI, Section 217 of the Constitution, as amended, and Amendment No. 336 to the Constitution.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 50; Nays 0.

Yeas:

Messrs.: Armstrong, Biddle, Brindley, Buskey, Campbell, Carter, Cates, Cooper, Crawford, Drake, Falkenburg, Folmar, Gafford, Greer, Gregg, Hall, Hilliard, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lutz, McCluskey, McNees, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Roberts, Sasser, Shoemaker, Smith (B), Sonnier, Sparks, Trammell, Venable, Waggoner, Weeks, White, Williams, Wyatt and Younce.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1342. Relating to cities having a population of 250,000 inhabitants or more according to the last or most recent Federal Decennial Census; to authorize provision of hospitalization insurance for retired employees between the ages of 50 and 65, and to retired employees retired because of disability at any age up to age 65.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 51; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Cooper, Crawford, Crowe, Drake, Folmar, Gafford, Greer, Hall, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Lockett, Lutz, McCluskey, McCulley, McNees, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Roberts, Sasser, Shoemaker, Smith (B), Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1325. To further amend Section 10 of Act 497 of the Regular Session of the Legislature of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which establishes a pension system for employees and officers of Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 42; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Biddle, Campbell, Carter, Cates, Cooper, Crawford, Cross, Drake, Folmar, Greer, Hall, Hilliard, Holmes (D),

Howard, Jackson (F), Johnstone, Jolly, Killian, Leonard, Lutz, McCluskey, McNees, Merrill, Mitchem, Naramore, Owens, Pegues, Roberts, Sasser, Shoemaker, Smith (B), Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—42

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 702. To amend Section 167, Title 62, Code of Alabama of 1940 so that said Section 167, as amended, will provide in substance as follows: that in Jefferson County the Office of Coroner is abolished and that all powers, rights and duties now or hereafter authorized or required by law to be performed by coroners shall be exercised and performed by the county governing body through appointed Coroners/Medical Examiners, representatives or agents, for the performance of such duties in the entire county or in a designated portion thereof; that the county governing body shall be authorized to promulgate rules and regulations governing the operation of the Coroners'/Medical Examiners' office and the performance of the duties of the members of the staff; that the employment and compensation of such Coroners/Medical Examiners, representatives or agents shall be governed by any applicable civil service law; that each Coroner/Medical Examiner shall be a physician licensed to practice medicine in Alabama and recognized and trained in forensic medicine and pathology; that when there is more than one Coroner/Medical Examiner on the staff, the county governing body shall designate one of them as the Chief Coroner/Medical Examiner, and until such designation the Coroner/Medical Examiner longest in the continuous service of the County shall be the Chief Coroner/Medical Examiner; that the Chief Coroner/Medical Examiner shall direct the staff, subject to the supervision of the county governing body; that it shall be the duty of the Chief Coroner/Medical Examiner to investigate and determine, or to secure another Coroner/Medical Examiner to investigate and determine the cause and manner of any death when any death falls within one or more of the following categories: (a) criminal violence or criminal neglect, (b) suicide, (c) accident, (d) suddenly when in apparent good health, (e) unattended by a practicing physician, (f) suspicious or unusual circumstances, (g) criminal abortion, (h) poisoning, (i) diseases constituting a threat to public health, (j) disease, injury or toxic agent resulting from employment, (k) while under anesthesia or within twenty-four hours following anesthesia or any other diagnostic or therapeutic procedure, (l) in any prison or penal institution, (m) when in police custody, (n) when a body is to be cremated, dissected or buried at sea, (o) unclaimed bodies, and (p) when a dead body is brought into this State without proper medical certification; that in investigating a death under Section 167, a Coroner/Medical Examiner shall be authorized to take charge of the dead body, to investigate the circumstances of the death, to conduct or have conducted an autopsy, and whether or not there is an autopsy, to take and retain whatever tissues and biological samples he deems necessary, including blood and/or urine, from the body of a person which he deems necessary to establish the cause and manner of such person's death, and to take possession of any object or article which in his opinion would be useful in establishing the identity of the deceased and/or the cause and manner of death; that there shall be vested in Medical Examiners all the authority now or hereafter vested in coroners by the law of Alabama, in-

cluding the authority Section 76, Title 15, Code of Alabama of 1940, herein called "Section 76", vests in coroners to make inquiry of the facts and circumstances of the death of any person who has been killed or has suddenly died under such circumstances as to afford a reasonable ground for belief that such death has been occasioned by the act of another by unlawful means, and the authority Section 76 vests in coroners to submit to a judge of a court of record or a district attorney sworn written statements of witnesses having personal knowledge of such circumstances, and to summon, upon direction of such judge or district attorney, a jury to inquire into the cause and manner of such person's death; and that no member of the county governing body, Coroner/Medical Examiner, registered nurse or appointed assistant, shall incur any civil or criminal liability for his actions under Section 167.

Was read a third time at length and passed.

Yeas 44; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Baker, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Crawford, Drake, Gafford, Greer, Hall, Hilliard, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Killian, Leonard, Lockett, McCluskey, McNees, Merrill, Moore (O), Naramore, Owens, Pegues, Plaster, Roberts, Sasser, Shoemaker, Smith (B), Sonnier, Trammell, Venable, Warren, Weeks, White, Williams and Wyatt.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1380. To further amend Sections 1, 4 and 5 of Act No. 172, H. 187, First Special Session 1964, as amended, which Act relates to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by authorizing one additional legal stenographer and setting the salary range therefor, payable from county funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Brindley, Buskey, Carothers, Carter, Cates, Cooper, Crawford, Cross, Drake, Folmar, Gafford, Greer, Hall, Harris, Hilliard, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kennedy, Killian, Lutz, McCluskey, McNees, Merrill, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Roberts, Sasser, Shoemaker, Smith (B), Sonnier, Trammell, Venable, Warren, Weeks, White, Williams, Wyatt and Younce.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

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And the bill:

S. 621. To amend Act No. 1024, S. 431, Regular Session 1973 (Acts 1973, p. 1561) relating to county supplemental payments to retired or supernumerary circuit judges of certain judicial circuits, so as to specifically exempt the twenty-third (23rd) judicial circuit from the provisions of the act.

Was read a third time at length and passed.

Yeas 39; Nays 1.

Yeas:

Messrs.: Armstrong, Biddle, Buskey, Carothers, Carter, Cates, Crawford, Crowe, Falkenburg, Folmar, Gafford, Greer, Hall, Hilliard, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Killian, Lutz, McCluskey, Merrill, Moore (O), Owens, Pegues, Plaster, Riddick, Sasser, Shoemaker, Sonnier, Trammell, Venable, Waggoner, Weeks, Whatley, Williams and Wyatt.

—39

Nay: Mr. Moore (W).

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1369. Relating to all counties having populations of not less than 12,000 nor more than 12,800 inhabitants according to the 1970 or any subsequent federal decennial census; regulating expense allowances for members of the county board of equalization in such counties; and providing for the manner of payment therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 35; Nays 0.

Yeas:

Messrs.: Armstrong, Biddle, Buskey, Carothers, Carter, Cates, Crawford, Cross, Falkenburg, Folmar, Gafford, Greer, Hall, Harris, Hilliard, Hines, Holmes (D), Jackson (F), Johnstone, Jolly, Killian, McCluskey, Merrill, Owens, Plaster, Roberts, Sasser, Shoemaker, Smith (B), Sonnier, Trammell, Weeks, Whatley, Williams and Wyatt.

—35

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1370. Relating to all counties having populations of not less than 10,900 nor more than 11,500 inhabitants according to the 1970 or any subsequent federal decennial census; further regulating the compensation of the members of the county board of equalization in any such county.

Was taken up.

AMENDMENT OFFERED

Mr. Dial offered the following amendment to the bill, H. 1370:

On line 29, delete \$20.00 and add \$15.00

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 49; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Buskey, Carothers, Carter, Cates, Crawford, Cross, Dial, Falkenburg, Folmar, Ford, Gafford, Greer, Hall, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Killian, Lutz, McCluskey, Manley, Merrill, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Sasser, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Trammell, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1370 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Buskey, Carothers, Carter, Cates, Crawford, Cross, Falkenburg, Folmar, Gafford, Hall, Hilliard, Hines, Holmes (D), Hopping, Howard, Johnstone, Jolly, Kelley, Killian, McCluskey, Manley, Merrill, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Roberts, Sasser, Shoemaker, Smith (B), Sonnier, Trammell, Venable, Waggoner, Weeks, Whatley, Williams and Wyatt.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1269. Relating to all counties having populations of not less than 16,000 nor more than 16,250 inhabitants according to the 1970 or any subsequent federal decennial census; giving the county governing body certain powers in regard to constructing and maintaining and repairing certain roads and rights-of-way leading to private dwellings.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 49; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Buskey, Carothers, Carter, Crawford, Falkenburg, Folmar, Ford, Gafford, Hall, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kennedy, Killian, Lockett, McCluskey, McCulley, Manley, Martin, Merrill, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Roberts, Sasser, Shoemaker, Smith (B), Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1133. Relating to Washington County Board of Registrars; providing further for the times they shall meet and the compensation therefor; and providing that all per diem and expenses shall be paid in the same manner and from the same funds as now provided by law.

Which was previously temporarily postponed, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Buskey, Carothers, Carter, Cates, Crawford, Falkenburg, Folmar, Ford, Gafford, Hall, Harris, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kennedy, Killian, Lockett, McCluskey, McCulley, Manley, Martin, Merrill, Moore (O), Naramore, Owens, Pegues, Plaster, Roberts, Shoemaker, Smith (B), Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1270. To provide an expense allowance for the probate judge of all counties having populations of not less than 16,000 nor more than 16,250 inhabitants according to the 1970 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Buskey, Carothers, Carter, Cates, Crawford, Cross, Falkenburg, Folmar, Ford, Gafford, Greer, Hall, Harris,

Hill, Hilliard, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Killian, McCluskey, McCulley, Manley, Martin, Merrill, Moore (O), Naramore, Owens, Pegues, Plaster, Roberts, Shoemaker, Smith (B), Smith (J), Sonnier, Trammell, Venable, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1371. To authorize the Washington County governing body to levy and collect, in addition to all other taxes heretofore imposed by law, a county excise and privilege tax on every person severing lime within the county and to provide exemptions; to provide that the proceeds collected therefrom be deposited in the county treasury designated for acquisition, restoration and maintenance of Old St. Stephens, Alabama, the territorial capital, and for other recreational facilities and purposes in Washington County. To authorize the county governing body to inspect the books of each person severing lime and to make such reasonable rules and regulations as may be necessary to enforce and collect the tax imposed by this act; to prescribe penalties for the violations of the provisions of this act; and to create an advisory committee to advise the county governing body on all matters relative to the restoration of Old St. Stephens.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 51; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Brindley, Carothers, Carter, Cates, Crawford, Crowe, Folmar, Gafford, Hall, Harris, Hilliard, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Killian, Lee, Lockett, Lutz, McCluskey, McCulley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (J), Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 755. Relating to Cullman County; to authorize and permit "flea" markets in said county to remain open for business during certain hours on Sunday; to provide for the licensing of such "flea" markets and to authorize the State to enjoin such "flea" markets from remaining open on Sunday contrary to this Act.

Was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Messrs.: Armstrong, Biddle, Brindley, Carothers, Carter, Cates, Crawford, Drake, Falkenburg, Folmar, Greer, Harris, Hill, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Lockett, McCluskey, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Sonnier, Sparks, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—53

And the bill:

S. 738. Relating to Pickens County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Which previously was temporarily postponed, was read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Crawford, Cross, Crowe, Folmar, Ford, Gafford, Hall, Harris, Hill, Hilliard, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Rich, Roberts, Robertson, Sandusky, Sasser, Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—60

And the bill:

S. 837. Relating to Pickens County, to provide that the County Commission may provide for a certain clerk hire allowance for the Tax Assessor and Tax Collector of said County.

Which previously was temporarily postponed, was read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Crawford, Cross, Crowe, Folmar, Ford, Gafford, Hall, Harris, Hill, Hilliard, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Rich, Roberts, Robertson, Sandusky, Sasser, Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—60

And the bill:

H. 1366. To alter or rearrange the boundary lines of the City of Samson, Geneva County, Alabama, so as to include within the corporate

limits of said City, all territory now within such corporate limits and also certain other territory contiguous thereto, in Geneva County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Crawford, Cross, Crowe, Folmar, Ford, Gafford, Hall, Harris, Hill, Hilliard, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Rich, Roberts, Robertson, Sandusky, Sasser, Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—60

And the bill:

H. 1375. Relating to all counties having a population of not less than 21,000 nor more than 22,000 inhabitants according to the 1970 or any subsequent federal decennial census; further implementing Section 9 of Act No. 160, H. 59 of the 1971 Third Special Session, relating to property reappraisal, so as to authorize the county governing bodies in such counties to employ appraisers, mappers, and clerical personnel to maintain current evaluation of all property and valuation of personal property.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Crawford, Cross, Crowe, Folmar, Ford, Gafford, Hall, Harris, Hill, Hilliard, Holley, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Rich, Roberts, Robertson, Sandusky, Sasser, Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—60

And the bill:

H. 1353. Relating to Bullock County; to provide that the sheriff shall receive the allowance for feeding prisoners in the county jail; and to require an itemized statement from the sheriff as to the use of said funds; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Crawford, Cross, Crowe, Folmar, Ford, Gafford, Hall, Harris, Hill, Hilliard, Holley, Hopping, Howard, Jackson (F),

Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Rich, Roberts, Robertson, Sandusky, Sasser, Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—60

RESOLUTION

The following resolution was introduced:

By Mr. Campbell:

H. R. 561. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Rules of the House be amended by adding the following new Rule, which shall be given the next succeeding number after the last presently affective Rule:

When a bill affecting only a part of the state which is represented by more than one member of the House of Representatives is being considered and is to be voted on in the House the total number of votes of the Representatives from the area to which the proposed act will apply shall be apportioned between the representatives from such areas on the basis of the population of the area represented by each representative, and each representative shall be entitled to cast only such fractional part of the total vote to which such area is entitled as the population of the area he represents bears to the population of the total area to be affected.

MOTION TO ADOPT TABLED

On motion of Mr. Lutz, the motion offered by Mr. Campbell to adopt the resolution, H. R. 561, was tabled.

Yeas 47; Nays 13.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Boles, Buskey, Callahan, Carothers, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Ford, Goodwin, Gregg, Hall, Hill, Hilliard, Hopping, Johnstone, Kelley, Lutz, McCluskey, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Rich, Riddick, Sandusky, Sasser, Smith (C), Sonnier, Starkey, Tucker, Waggoner, Williams and Wyatt.

—47

Nays:

Messrs.: Andrews, Barron, Campbell, Harris, Harrison, Holmes (A), Holmes (D), Johnson, Leonard, Lockett, Martin, Robertson and Smith (B).

—13

RESOLUTIONS

The following resolutions were introduced:

By Mr. Merrill:

H. J. R. 562. NAMING THE INTERNATIONAL HOUSE AT JACKSONVILLE STATE UNIVERSITY "THE CLARENCE W. DAUGETTE, JR. HOUSE."

WHEREAS, the International House on the campus of Jacksonville State University houses twenty American students and twenty foreign

students in an environment and atmosphere conducive to an international exchange in living and learning; the structure was built entirely from contributions by various civic clubs and organizations and by individual donations; operating expenses are financed also by contributions and through endowment funds, as are the twenty scholarships awarded annually to deserving foreign students; and

WHEREAS, Clarence W. Daugette, Jr., who is himself a Jacksonville State graduate, and whose father was president of the University from 1899 through 1942, was the principal donor of the funds necessary to build the impressive \$350,000 structure; and

WHEREAS, Mr. Daugette, who served with distinction as a full Colonel with General Patton's Army in Europe during World War II, is president of Life Insurance Company of Alabama in Gadsden and is president also of the First National Bank of Jacksonville; and

WHEREAS, this prominent Etowah County citizen has participated further in many worthwhile civic and charitable projects including the state chairmanship of the American Cancer Society Drive and is deeply involved with work in the Boy Scouts of America program; he also is a lay leader in the Episcopal Church; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the International House at Jacksonville State University is hereby designated "The Clarence W. Daugette, Jr. House."

BE IT FURTHER RESOLVED, That proper authorities are directed to cause appropriate signs and markers to be erected and maintained in designating said structure as "The Clarence W. Daugette, Jr. House."

RESOLVED FURTHER, That a copy of this resolution be presented to Mr. Clarence W. Daugette, Jr.

The resolution, H. J. R. 562, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Manley:

H. R. 563. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That when the House adjourns today it will adjourn to meet again on Wednesday, May 4, 1977, at 1:00 o'clock p.m.

On motion of Mr. Manley, the rules were suspended and the resolution, H. R. 563, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1238. Relating to the fourteenth judicial circuit; creating the position of investigator for the district attorney of such circuit and providing for the powers, duties and compensation of such investigator.

Also:

H. 1239. To name the football stadium at Holt High School in Tuscaloosa, Alabama the "Woody Clements Stadium."

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Also:

H. 235. To amend further Section 3 of Act No. 1945, H. 584, Regular Session 1971 (Acts 1971, p. 3143), as last amended, which provides for and regulates the employment of county engineers so as to provide that the county engineer in certain counties need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of the county engineer's salary.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Holley, the rules were suspended in order to take up out of order the bill, S. 197.

And the bill:

S. 197. To permit the State Board of Education through the State Superintendent of Education, to enter into an interstate agreement known as the "Interstate Agreement on Qualification of Educational Personnel" for the purpose of establishing cooperative arrangements with other states for persons to meet teacher certification requirements.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Johnson, Johnstone, Kelley, Kennedy, Killian, Lee, Leonard, Lockett, McCluskey, McNair, Manley, Merrill, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Trammell, Tucker, Turnham, Venable, Warren, Weeks, White, Williams, Wyatt and Younce.

—79

SPECIAL ORDER RESUMED

The House then proceeded with the consideration of the Unfinished Business.

And the bill:

S. 33. To provide an entirely new criminal code for the State of Alabama; defining offenses, fixing punishment; repealing numerous specific code sections and statutes that conflict herewith as well as all other laws that conflict with this act.

Was read a third time at length and passed.

Yeas 72; Nays 10.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Glass, Goodwin, Greer, Gregg, Harrison, Hill, Hines, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnstone, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McMillan, Manley, Martin, Merrill, Mitchem, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shoemaker, Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Weeks, Whatley, White and Wyatt.

—72

Nays:

Messrs.: Biddle, Crowe, Hall, Hilliard, Holley, Morris, Naramore, Robertson, Warren and Williams.

—10

And the bill:

H. 445. To provide an entirely new criminal code for the State of Alabama; defining offenses, fixing punishment; repealing numerous specific code sections and statutes that conflict herewith as well as all other laws that conflict with this act.

Was taken up.

H. 445 INDEFINITELY POSTPONED

On motion of Mr. Lee, the bill, H. 445, was indefinitely postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Holmes (A), the rules were suspended in order to take up out of order the bill, S. 548.

Yeas 5; Nays 1.

Yeas: Messrs.: Harris, Holmes (A), Lewis, Plaster and Wyatt. —5

Nay: Mr. Barron. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 548. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide for a county supplement to the state pay for the district judges in such counties.

Was taken up.

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28th Day

2217

AMENDMENT OFFERED

Mr. Holmes (A) offered the following amendment to the bill, S. 548:

Amend S. B. 548 by eliminating the figure \$7,500.00 in Section 2, line 29, and substituting in lieu thereof the figure \$3,500.00.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 5; Nays 1.

Yeas: Messrs.: Harris, Holmes (A), Lewis, Plaster and Wyatt. —5

Nay: Mr. Barron. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 548 as thus amended, was read a third time at length and passed.

Yeas 5; Nays 1.

Yeas: Messrs.: Harris, Holmes (A), Lewis, Plaster and Wyatt. —5

Nay: Mr. Barron. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Riddick:

H. J. R. 564. TO NAME THE MADISON COUNTY NATURE TRAIL "THE JAMES RECORD NATURE TRAIL."

WHEREAS, the Madison County Nature Trail, the plans for which began in 1972, is now a reality and provides 72 acres of natural growth and a two-mile walking trail with a 16-acre lake on top of Green Mountain; the many attributes of this trail include the marking and identification of plants and trees, in their natural state, for the benefit of visitors; and

WHEREAS, this attraction has been enthusiastically accepted by the citizens of Madison County for whose benefit the nature trail was developed; the several hundred visitors weekly include many groups from schools and colleges who use the trail as a teaching tool for the young people of this area; and

WHEREAS, Mr. James Record, who is chairman of the Board of Commissioners of Madison County, was the originator of the idea of a nature trail and was instrumental in providing for its development; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Madison County Nature Trail on Green Mountain is hereby designated as "The James Record Nature Trail."

BE IT FURTHER RESOLVED, That proper authorities are directed to cause appropriate signs and markers to be erected and maintained in designating the said nature trail as "The James Record Nature Trail."

On motion of Mr. Riddick, the rules were suspended and the resolution, H. J. R. 564, was adopted.

Also:

By Mr. Trammell:

H. R. 565: COMMENDING THE MINOR HIGH SCHOOL BANDS FOR HONORS RECEIVED DURING PARTICIPATION IN THE SIX FLAGS OPEN BAND COMPETITION.

WHEREAS, the Alabama House of Representatives has noted that on April 29-30, 1977, the Minor High School Bands participated in the prestigious Six Flags Over Georgia Open Band Competition, competing in classes based upon the number of students enrolled in the school; the bands, which included representatives from throughout the Eastern United States, were judged, critiqued and rated by three of the nation's most outstanding band authorities; and

WHEREAS, the Minor High School Concert Band received the rating of "Excellent" from all three judges and the Minor High Symphonic Band received the rating of "Superior," the highest possible rating, from each of the judges; the Symphonic Band, furthermore, was selected by the judges as the best band in its classification; and

WHEREAS, the Minor bands are most competently conducted by Mr. Johnny Jacobs and Mr. Michael Mayhall, with credit due also for the enthusiastic support of Mr. Fred Ward, principal, and members of the Bank Boosters Executive Board: Mr. Leo Marrs, Mr. and Mrs. Ferdinand Miesner, Mrs. Bill Vaughn, Mrs. Jeanette Butts, and Mrs. Bill Hargrove; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do highly commend and congratulate the Minor High School Bands for honors received in the Six Flags Over Georgia Open Band Competition.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Principal Fred Ward on behalf of the school, to Conductors Johnny Jacobs and Michael Mayhall, and to the members of the Band Boosters Executive Board.

On motion of Mr. Trammell, the rules were suspended and the resolution, H. R. 565, was adopted.

SPECIAL ORDER RESUMED

And the bill:

S. 422. To authorize the Governor, by Executive Order, to freeze at the present level or to roll back to any level existing at any time during the six month period immediately preceding said Executive Order, any utility rate or rates established by the Alabama Public Service Commission for a period of up to one year.

Was taken up.

AMENDMENT OFFERED

Mr. Gafford offered the following amendment to the bill, S. 422:

Amend S. 422, line 17, by changing the word "six" to "twelve".

Also, amend S. 422, line 28, by changing the word "six" to "twelve".

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Gafford to the bill, S. 422, was tabled.

Yeas 83; Nays 3.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Warren, Weeks, Whatley, Williams, Wyatt and Younce.

—83

Nays: Messrs.: Armstrong, Gafford and Waggoner.

—3

And the bill, S. 422, was read a third time at length and passed.

Yeas 91; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Lewis, Lockett, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—91

Nay: Mr. Leonard.

—1

And the bill:

H. 1363. Relating to all counties having populations of not less than 65,500 nor more than 75,200 inhabitants according to the 1970 or any subsequent federal decennial census; to make it lawful to hunt deer with dogs in any such county west and north of U.S. Highway 43 and outside the police jurisdiction of all municipalities in any such county during any legal deer hunting season and in such manner as may be prescribed by law.

Which previously was temporarily postponed, was taken up.

AMENDMENT OFFERED

Mr. Greer offered the following amendment to the bill, H. 1363:

Amend the title by inserting on page 1, line 20, the following words:

„, provided such act is approved by the majority of qualified voters in a referendum.

Add a new Section 3 after line 31 and renumber the remaining sections.

Section 3. The provisions of this act shall become operative in any county coming within its purview only if approved by a majority of the electors of the county voting in a referendum to be held in each such counties at the next countywide election following the passage of this act. The governing body of every county within the purview of this act shall order and provide for the holding of the referendum. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. _____, of the _____ Session of the Legislature, approved the _____ day of _____, 19____, which relates to the hunting of deer with dogs at certain times and in certain locations, be adopted? Yes () No ()." If a majority of the votes cast in the election are "Yes," the provisions of this act shall become operative immediately. If the majority are "No," this act shall have no effect. The judge of probate of each such county shall notify the Secretary of State of the results of such election.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Baker, Boles, Brindley, Buskey, Carothers, Coburn, Crawford, Cross, Crowe, Drake, Folmar, Hall, Harris, Hill, Hopping, Howard, Jolly, Kelley, Kennedy, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Naramore, Pegues, Quarles, Reed, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (M), Starkey, Trammell, Turnham, Venable, Weeks, White and Williams.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1363. Relating to all counties having populations of not less than 65,500 nor more than 75,200 inhabitants according to the 1970 or any subsequent federal decennial census; to make it lawful to hunt deer with dogs in any such county west and north of U.S. Highway 43 and outside the police jurisdiction of all municipalities in any such county during any legal deer hunting season and in such manner as may be prescribed by law; provided such act is approved by the majority of qualified voters in a referendum.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Buskey, Campbell, Carothers, Clark, Coburn, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Goodwin, Greer, Hall, Harris, Hill, Holmes (A), Holmes (D), Hopping, Howard, Johnstone, Jolly, Kelley, Lewis, Lockett, Lutz, McCluskey, McCulley, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Reed, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Starkey, Trammell, Turnham, Venable, Waggoner, Weeks, Whatley, White, Williams and Younce.

—63

And the bill:

H. 1364. To extend, alter and rearrange the boundaries and corporate limits of the Town of St. Florian so as to annex certain adjacent territory to the City of Florence.

Which was previously temporarily postponed, was read a third time at length and lost.

Yeas 1; Nays 2.

Yea: Mr. Greer.

—1

Nays: Messrs.: Coburn and Hill.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 874. To provide protection to certain corporate citizens or residents of Alabama, their shareholders and employees and the public against takeover offers which do not provide full and fair disclosure of all material information, which do not provide adequate time for consideration or which are based upon unfair or inequitable terms; to prescribe regulations to insure such protection; to provide for enforcement of such regulations; to prescribe penalty for violation of such regulations and to provide for review of certain takeovers by the Alabama Supreme Court.

Was taken up.

SUBSTITUTE OFFERED

Mr. Killian offered the following substitute to the bill, H. 874:

A BILL
TO BE ENTITLED
AN ACT

To provide protection to certain corporate citizens or residents of Alabama, their shareholders and employees and the public against takeover offers which do not provide full and fair disclosure of all material information, which do not provide adequate time for consideration or which are based upon unfair or inequitable terms; to prescribe regula-

tions to insure such protection; to provide for enforcement of such regulations; to prescribe penalty for violation of such regulations and to provide for review of certain takeovers by the Alabama Supreme Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Short title. This act shall be known and may be cited as the "Alabama Takeover Disclosure Act."

Section 2. Findings and declaration of policy. It is hereby determined and declared as a matter of legislative finding that the economy of this state and the welfare of its citizens require legislation providing adequate protection for corporations incorporated, or conducting substantial business and having substantial assets in this state, their shareholders and employees and the public from tender offers made without full and fair disclosure of all material information concerning the offerors, which do not provide adequate time for consideration or which are based upon unfair and inequitable terms.

Section 3. Definitions. As used in this act, the term:

(a) "Affiliate" with respect to a person means any person controlling, controlled by, or under common control with such person.

(b) "Associate" with respect to a person means any person acting jointly or in concert with such person for the purposes of acquiring, holding or disposing of, or exercising any voting rights attached to the equity securities of an issuer.

(c) "Commission" means the Alabama Securities Commission.

(d) "Equity security" means any share or similar security, or any security convertible, with or without consideration, into such a security; or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right or any other security which the holder is entitled to receive, or exercising any voting rights attached to the equity security pursuant to the Alabama Securities Act or pursuant to any regulation of the commission.

(e) "Offeree" means a record or beneficial owner of equity securities to whom a takeover offer is made or proposed to be made.

(f) "Offeror" means a person who makes or participates in any way in making a takeover offer. Offeror does not include any bank or broker-dealer loaning funds to an offeror in the ordinary course of its business, or any bank, broker-dealer, attorney, accountant, consultant, employee, or other person furnishing information or advice to or performing ministerial duties for an offeror, and not otherwise participating in the takeover offer.

(g) "Person" means an individual, corporation, association, partnership, trust or any other entity.

(h) "Substantial assets" means assets in this state having a book value of \$5,000,000 or more, or, in the event that the principal place of business is in this state but the value of the assets in this state does not exceed \$5,000,000, assets having a book value exceeding 50 percent of the total book value of the assets of the issuer.

(i) "Substantial business" shall mean either having the principal place of business in this state or employing 300 or more persons in this state.

(j) "Takeover offer" means the acquisition of or offer to acquire any equity security of a target company, pursuant to a tender offer, if after the acquisition thereof, the offeror would, together with any affiliate or associate, directly or indirectly, be a beneficial owner of more than 5 percent of any class of the outstanding equity securities of the target company. "Takeover offer" does not include the following offers or the acquisition of equity securities pursuant to such offers:

(i) an offer to acquire equity securities to be effected by a broker-dealer registered with the Securities and Exchange Commission on a stock exchange or in the over-the-counter market if the broker performs only the customary broker's function and receives no more than the customary broker's commission, if neither the principal nor the broker solicits or arranges for the solicitation of orders to sell such equity securities, and if no more than 10 percent of the outstanding equity securities of the target company is acquired in this manner during any twelve-month period;

(ii) an offer made by a dealer for his own account in the ordinary course of his business of buying and selling such security;

(iii) an offer to acquire equity securities of a target company which has no more than 100 equity security holders of record or no more than \$1,000,000 of assets;

(iv) an offer which, if accepted by all the offerees, will not result in the offeror having acquired more than 2 percent of the same class of equity securities of the target company within the preceding twelve-month period;

(v) an offer by the issuer to acquire its own equity securities;

(vi) an offer to which the target company consents, by action of its board of directors, if such board of directors has recommended acceptance thereof to shareholders;

(vii) an offer which, if accepted by all offerees, will not result in the offeror having acquired equity securities of the issuer from more than 25 persons within the preceding twelve-month period; for purposes of computing the 25 persons for the purpose of this definition any securities purchased pursuant to clause (i) of this section not being included;

(viii) an offer incident to a vote by security holders pursuant to the articles of incorporation or the applicable corporate statute or other statute governing such person, or pursuant to a partnership agreement, a declaration of trust, trust indenture or any agreement among security holders on a merger, consolidation, sale of assets in consideration, in whole or in part, of the issuance of securities of another person, reclassification of securities, or reorganization involving the exchange of securities, in whole or in part; and

(ix) an offer which the commission, by regulation or order, shall exempt from the definition of "takeover offer" as not being made for the purpose of, and not having the effect of, changing or influencing the control of the issuer or otherwise as not comprehended within the purpose of this act.

(k) "Target company" means an issuer of securities whose equity securities are or are to be the subject of a takeover offer (i) which is organized under the laws of this state, or (ii) conducts substantial business and has substantial assets in this state.

Section 4. Registration of takeover offers. No offeror shall make or consummate a takeover offer unless a registration statement containing the information required by section 5 of this act shall have become effective. At least twenty days prior to the making of a takeover offer, the offeror shall file with the commission and the target company at its principal place of business a registration statement containing the information required by section 5 of this act. The twenty-day period specified herein shall not commence until the receipt of the registration statement by both the commission and the target company.

Section 5. Contents of registration statement. (a) The registration statement required to be filed pursuant to section 4 of this act shall include:

(i) Copies of all prospectuses, brochures, advertisements, circulars, letters or other matter by means of which the offeror proposes to disclose to the offerees all information material to a decision to accept or reject the offer;

(ii) The identity and background of all persons on whose behalf the acquisition of any equity security of the target company has been or is to be effected;

(iii) The source and amount of funds or other consideration used or to be used in acquiring any security including a statement describing any securities which are being offered in exchange for the equity securities of the target company;

(iv) A statement of any plans or proposals which the offeror, upon gaining control may have to liquidate the target company, sell all or any significant portion of its assets, effect a merger or consolidation of it, or make any other major changes in its business, corporate structure, management personnel, or policies of employment;

(v) The number of shares of any equity security of the target company of which the offeror is beneficial or record owner or has a right to acquire, directly or indirectly, together with the name and address of each person defined in this act as an offeror;

(vi) Particulars as to any contracts, arrangements, or understandings to which an offeror is party with respect to any equity security of the target company, including, without limitation, transfers of any equity security, joint ventures, loans or option arrangements, puts and calls, guarantees of loan, guarantees against loss, guarantees of profits, division of losses or profits, or the giving or withholding of proxies, naming the persons with whom such contracts, arrangements, or understandings have been entered into;

(vii) Information on the organization and operations of the offeror, including, without limitation, the year of organization, form of organization, jurisdiction in which it is organized, a description of each class of the offeror's equity securities and of its long term debt, audited financial statements for the current period and for the three most recent annual accounting periods, a brief description of the location and general character of the principal physical properties of the offeror and its subsidiaries, a description of its employee relations history during the preceding five years including strikes and finding of unfair labor practices by the national labor relations board, a description of material pending or threatened legal or administrative proceedings (other than routine litigation) to which the offeror or any of its subsidiaries is a party or of which any of their property is the subject, a brief description of the business done and projected by the offeror and its subsidiaries and any

material changes therein during the past five years, the names and residence addresses of all directors and executive officers of the offeror and their principal occupations together with biographical activities and affiliations during the past three years. For the purposes of this paragraph, legal or administrative proceedings involving antitrust, securities, equal opportunity and environmental matters shall be considered material; and

(viii) Such other and further documents, exhibits, data and information as may be required by the commission.

(b) For the purposes of this section, "offeror" should include any affiliates or associates of the offeror.

Section 6. Material change. If any material change occurs in the facts set forth in the registration statement required by section 4 of this act prior to or during the pendency of any takeover offer, the offeror who filed such registration statement shall promptly notify the commission and the target company of such change and shall amend the registration statement to reflect such change within five days of the change but in no event later than two days prior to the purchase of any equity security from any offeree.

Section 7. Filing of solicitation materials. Copies of all prospectuses, brochures, advertisements, circulars, letter or other materials published by the offeror or the target company, soliciting or requesting the acceptance or rejection of the takeover offer, shall be filed with the commission and sent to the target company or offeror, as the case may be, not later than the time copies of such solicitation materials are first published or used or sent to offerees if not previously filed with the commission and mailed to the target company or offeror. The commission may prohibit the use of any solicitation materials deemed false or misleading.

Section 8. Schedule of public hearing. Within fifteen days of the filing of a registration statement pursuant to section 4, the commission may, upon its own initiative, and shall, at the request of the target company, any of its shareholders or the collective bargaining representative of its employees within this state, schedule a public hearing or hearings and conduct such investigation as it deems necessary concerning any takeover offer for the purpose of determining compliance with the requirements of this act, and whether the takeover offer provides full and fair disclosures to offerees of all material information concerning the offer and offeror, including the filing of a complete and accurate registration statement, and whether the terms of the offer are fair and equitable. Any person requesting a public hearing pursuant to this section shall pay to the commission at the time of such request a hearing fee in the amount of \$2500. An initial hearing shall commence within forty days of the filing of a registration statement.

Section 9. Prohibition of takeover offer. (a) In the event the commission shall schedule a public hearing or hearings or otherwise conduct an investigation pursuant to section 8, the commission shall issue an order prohibiting an offeror from making or continuing with any takeover offer. Every person shall comply with every such order.

(b) If the commission does not issue an order as provided for in subsection (a) of this section, the registration statement shall become effective twenty days after its filing as provided for herein.

(c) Within thirty days of the completion of a hearing or hearings held pursuant to section 8, or the conclusion of its investigation con-

ducted pursuant to such section, the commission shall determine whether the requirements of this act have been met, and shall issue an order containing its conclusions and the reasons therefor. If the requirements of this act have been met, such order shall authorize the making or continuation of the takeover offer. If the commission finds the requirements of this act have not been met, it shall by order prohibit the making or continuation of any takeover offer until such time as full compliance has been accomplished.

Section 10. Appeal. Any person aggrieved by the failure of the commission to commence an investigation or order a hearing or by a final order of the commission prohibiting the continuation of a takeover offer, which order has been in effect for in excess of sixty days, may petition the Supreme Court of Alabama for review of the commission's inaction or order. The filing of a petition for review of the commission's inaction shall stay the effective date of the registration statement for ten days. Such stay may be further extended by order of a Justice of the Supreme Court.

Section 11. Fraudulent, deceptive or manipulative practices. No person shall make any untrue statement of a material fact or omit to state any material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading or engage in any fraudulent, deceptive or manipulative acts or practices, in connection with any takeover offer, or any solicitation of security holders in opposition to or in favor of any such takeover offer. Fraudulent, deceptive or manipulative acts or practices include without limitation the making of a tender offer upon unfair or inequitable terms and those acts and practices proscribed by rules and regulations promulgated by the commission.

Section 12. Enforcement. In administering and enforcing the provisions of this act, the commission and the courts of this state shall possess all the powers of Sections 42 and 43 of the Alabama Securities Act.

Section 13. Violations - penalties. (a) Every person who willfully violates any provision of this act, or any order, rule or regulation issued pursuant thereto, shall be fined not more than \$5,000 or imprisoned not more than three years or both. No prosecution may be commenced under this act more than five years after the violation.

(b) It shall be the duty of the commission and the attorney general to see that this act is at all times obeyed and to take such measures and to make such investigations as will prevent or detect the violation of any provision thereof. The commission shall at once lay before the district attorney of the proper county any evidence which shall come to its knowledge of criminality under this act. In the event of the neglect or refusal of the district attorney to institute and prosecute such violation, the commission shall submit such evidence to the attorney general, who is hereby authorized to proceed therein with all the rights, privileges, and powers conferred by law upon district or court attorneys, including the power to appear before grand juries and to interrogate witnesses before such grand juries.

(c) In proceeding under this act, scienter need not be alleged and proved in prosecutions involving the making of a takeover offer as to which a registration statement is not effective.

Section 14. Civil liabilities. (a) Any offeror who purchases an equity security in connection with a takeover offer in violation of this act, shall be liable to the offeree who may sue either at law or in equity.

In an action for rescission, the offeree shall be entitled to recover the security, plus any income received by the offeror thereupon, upon tender of the consideration received. Tender requires only notice of willingness to pay the amount specified in exchange for the security. Any notice may be given by service as in civil actions or by certified mail to the last known address of the person liable. In the offeror no longer owns the security, damages are the excess of either the value of the security on the date of purchase or its present value, whichever is greater, over the present value of the consideration received for the security.

(b) Every person who directly controls a person liable under subsection (a) every partner, principal executive officer or director of such person, every person occupying a similar status or performing similar functions, every employee of such person who materially aids in the act or transaction constituting the violation, and every broker-dealer or agent who materially aids in the act or transaction constituting the violation, is also liable jointly and severally with and to the same extent as such person, unless the person who would otherwise be so liable proves that he did not know and in the exercise of reasonable care could not have known, of the existence of the facts by reason of which the liability is alleged to exist. There is contribution as in cases of contract among the several person so liable.

(c) No action may be maintained under this section unless commenced before the expiration of two years after the act or transaction constituting the violation or the expiration of one year after the discovery of the facts constituting the violation, whichever first expires.

(d) The rights and remedies under this section are in addition to any other rights or remedies that may exist at law or in equity.

Section 15. Administration. (a) This act shall be administered by the commission and such employees as designated by it. The commission is hereby empowered to promulgate, alter, amend or revoke rules and regulations necessary to carry out the purposes of this act.

(b) The commission may establish fees for the filing of any registration statement, not to exceed one thousand five hundred dollars, to recover the costs of administering this act. Such fees may vary according to the maximum consideration payable by the offeror for the equity securities which are the subject of the takeover offer.

Section 16. Designation of commission for service.

(a) Every nonresident offeror, except a foreign corporation which has appointed and keeps a resident agent in this state, shall be deemed to have appointed the commission his agent upon whom may be served any lawful process authorized by this act, with the same effect as though served upon the offeror personally.

(b) Service of process pursuant to this section shall be accomplished by leaving a copy of the process in the office of the commission, but it shall not be effective unless notice of the service and a copy of the process is sent by registered mail to the nonresident offeror served, at his last known address.

Section 17. Exclusions. This act shall not apply when:

(a) The offeror or the target company is a public utility or a public utility holding company as defined in section two of the "Public Utility Holding Company Act of 1935", (49 Stat. 803, 15 U.S.C. 79), as amended, and the takeover offer is subject to approval by the appropriate federal agency as provided in such act;

(b) The offeror or the target company is a bank or a bank holding company as subject to the "Bank Holding Company Act of 1956", (70 Stat. 133, 12 U.S.C. 1841), and subsequent amendments thereto, and the takeover offer is subject to approval by the appropriate federal agency as provided in such act;

(c) The offeror or the target company is a savings and loan holding company as defined in section two of the "Savings and Loan Holding Company Amendments of 1967", (82 Stat. 5, 12 U.S.C. 1730A), as amended, and the takeover offer is subject to approval by the appropriate federal agency as provided in such act; and

(d) The offeror and the target company are banks and the offer is part of a merger transaction subject to approval by appropriate federal supervisory authorities.

Section 18. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 19. All laws or parts of laws which conflict with this act are hereby repealed.

Section 20. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Barron, Boles, Brindley, Buskey, Carothers, Carter, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Hall, Harris, Holley, Holmes (A), Holmes (D), Hopping, Johnstone, Jolly, Kelley, Killian, Lewis, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Weeks, Whatley, White, Williams and Wyatt.

—61

And the bill, H. 874 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 1.

Yeas:

Mr. Speaker, Andrews, Baker, Barron, Boles, Brindley, Buskey, Carothers, Carter, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Lee, Leonard, Lewis, McCluskey, McMillan, Martin, Merrill, Moore (O), Moore (W), Naramore, Plaster, Quarles, Rich, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Weeks, Whatley, White, Williams and Wyatt.

—65

Nay: Mr. Lutz.

—1

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And the bill:

S. 400. To further amend Section 11 of Act No. 492, General Acts of Alabama, Regular Session 1947; to provide that a non-resident contractor shall satisfy the Highway Department that it has paid all taxes due and payable to the State of Alabama or any political subdivision thereof prior to receiving final payment for contract work.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lockett, McCluskey, McMillan, Manley, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Weeks, Whatley, White, Williams, Wyatt and Younce.

—83

BILLS INDEFINITELY POSTPONED

On motion of Mr. Callahan, all House Bills remaining on the House Calendar on adjournment on the twenty-eighth legislative day, will be indefinitely postponed.

Yeas 70; Nays 6.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Callahan, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holmes (D), Hopping, Jackson (F), Jolly, Kelley, Kinsey, Lee, Leonard, Lockett, McCluskey, McMillan, Manley, Merrill, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Turnham, Venable, Waggoner, Weeks, Whatley, White, Williams, Wyatt and Younce.

—70

Nays:

Messrs.: Barron, Buskey, Holley, Holmes (A), Johnson and Shelton.

—6

SPECIAL ORDER RESUMED

S. 401 TEMPORARILY POSTPONED

On motion of Mr. Crowe, the bill, S. 401, was temporarily postponed.

And the bill:

H. 1332. To make an additional appropriation to the Office of the Attorney General from the General Fund.

Was taken up.

AMENDMENT OFFERED

Mr. Campbell offered the following amendment to the bill, H. 1332:

On line 23, page one, change 34,881.00 to 271,000

Add Ethics Commission 33,000

AMENDMENT TABLED

On motion of Mr. Naramore, the amendment offered by Mr. Campbell to the bill, H. 1332, was tabled.

Yeas 42; Nays 36.

Yeas:

Messrs.: Albright, Armstrong, Biddle, Boles, Coburn, Crawford, Drake, Falkenburg, Folmar, Goodwin, Gregg, Harris, Holmes (A), Holmes (D), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lewis, Lutz, McNair, McNees, Manley, Merrill, Mitchem, Morris, Naramore, Plaster, Reed, Rich, Robertson, Sasser, Smith (J), Sparks, Starkey, Taylor, Trammell, Venable, Waggoner and Warren.

—42

Nays:

Mr. Speaker, Andrews, Barron, Brindley, Buskey, Campbell, Carothers, Carter, Crowe, Dial, Edwards, Greer, Hall, Harrison, Hill, Hilliard, Holley, Hopping, Leonard, Lockett, McMillan, Moore (O), Moore (W), Pegues, Quarles, Roberts, Shelton, Shoemaker, Smith (B), Smith (C), Tucker, Weeks, Whatley, White, Wyatt and Younce.

—36

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 557. MOURNING THE DEATH OF ROLAND COOPER, PROMINENT WILCOX COUNTY BUSINESSMAN, CATTLE FARMER, FORMER STATE SENATOR AND PROBATE JUDGE.

Also:

H. J. R. 559. MOURNING THE DEATH OF JUDGE KENNETH JOHNSON GRIFFITH.

McDOWELL LEE,
Secretary.

H. 1332 RESUMED

MOTION TO POSTPONE TABLED

On motion of Mr. Naramore, the motion offered by Mr. Carothers to postpone further consideration of the bill, H. 1332, to the twenty-ninth legislative day, was tabled.

Yeas 80; Nays 7.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Carter, Cates, Clark, Coburn, Crawford,

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Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Shoemaker, Smith (B), Sparks, Starkey, Taylor, Trammell, Tucker, Venable, Waggoner, Warren, Weeks, White, Williams and Younce.

—80

Nays:

Messrs.: Campbell, Carothers, Lockett, Sasser, Shelton, Smith (C) and Wyatt.

—7

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for the Journal to show Messrs. Morris, Howard, Falkenburg and Warren added as co-sponsors to the bill, H. 1332.

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Wyatt removed as co-sponsor of the bill, H. 1332.

And the bill, H. 1332, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 7.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, McCluskey, McMillan, McNair, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Shoemaker, Smith (B), Smith (J), Sparks, Starkey, Taylor, Trammell, Tucker, Venable, Waggoner, Warren, Weeks, White and Younce.

—82

Nays:

Messrs.: Campbell, Carothers, Lockett, Sasser, Shelton, Smith (C) and Wyatt.

—7

And the bill:

H. 1343. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and em-

ployees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 22; Nays 3.

Yeas:

Messrs.: Albright, Carothers, Crawford, Crowe, Falkenburg, Gafford, Greer, Hall, Harrison, Hopping, Howard, Jackson (F), Jolly, Leonard, Lewis, McCluskey, Owens, Pegues, Smith (B), Turnham, Weeks and Williams.

—22

Nays: Messrs.: Andrews, Biddle and Trammell.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1294. To authorize the department of labor to use a certain portion of their 1976-1977 appropriation for motor vehicle purchases.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Buskey, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Gafford, Goodwin, Greer, Hall, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Taylor, Trammell, Turnham, Waggoner, Weeks, Whatley, White, Williams and Younce.

—75

And the bill:

H. 1351. To name the state docks at Columbia, Alabama, for Mr. E. E. Wakefield.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Weeks, Whatley, White, Williams and Younce.

—79

And the bill:

S. 469. To set forth a declaration of public policy and legislative intent; to define terms used herein; to require that persons detonating blasting agents and/or explosives be examined and licensed by the State of Alabama; to provide for the payment of fees for examinations and licenses; to provide for the suspension and revocation of licenses and for hearings and appeals in connection therewith; to provide for the licensing of certain persons experienced in blasting without examination upon the payment of a fee; to provide certain standards of blasting safety including notification to owners of certain types of properties and requiring that protective measures be taken when needed in regard to such properties, the covering of a certain type of detonating cord in certain circumstances, prohibiting the impeding of traffic by the throwing of blasted material on highways without prior agency approval and the prohibition of night time blasting except when necessary for safety of operations or with prior approval of Agency; to establish standards for blasting including establishing a peak particle velocity of ground motion at certain locations, the establishing of formulae for regulating the amounts of blasting agents and/or explosives allowable under certain conditions and establishing a table of such amounts; to provide for monitoring of blasting by seismological devices and prescribing criteria for their design and use; to establish a formula for computing certain effects of blasting; to establish permissible occasions for the use of seismographic equipment; to provide for the keeping of certain records and their availability for examination by the state; to require that those engaged in blasting operations obtain property damage and personal injury liability insurance; to establish penalties for the violation of this Act; to provide for the administration of this Act by the Department of Industrial Relations and by the Alabama Surface Mining Reclamation Commission; to provide a severability clause; to repeal certain laws and to prohibit the enactment of local, county, or municipal regulations; to establish powers of the administering agencies; to establish a short title, and to provide for an effective date.

AMENDMENT OFFERED

Mr. Boles offered the following amendment No. 1 to the bill, S. 469;

Amend Section 2, sub-section (a) on page 3, line 8 by placing a period after the word "relations" and striking the remainder of subsection (a)

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 1 offered by Mr. Boles to the bill, S. 469, was tabled.

Yeas 54; Nays 18.

Yeas:

Mr. Speaker, Andrews, Armstrong, Brindley, Callahan, Cates, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Greer, Holmes (A), Holmes (D), Jackson (F), Kelley, Kennedy, Kinsey, Lee, Lewis, Lutz, McCluskey, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Quarles, Rich, Roberts, Robertson, Sandusky, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Turnham, Waggoner, Weeks, White, Wyatt and Younce.

—54

Nays:

Messrs.: Albright, Boles, Buskey, Coburn, Ford, Goodwin, Gregg, Hall, Hill, Hilliard, Hopping, Howard, Johnson, Jolly, Killian, Leonard, Riddick and Trammell.

AMENDMENT OFFERED

Mr. Boles offered the following amendment No. 2 to the bill, S. 469:

Amend Section 1, subsection 2 by adding the following sentence at the end of said sub-section on page 3, line 3:

"The provision of this act exclude the surface mining of coal."

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 2 offered by Mr. Boles to the bill, S. 469, was tabled.

Yeas 54; Nays 18.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Brindley, Callahan, Cates, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Greer, Harris, Holmes (A), Holmes (D), Johnstone, Kelley, Kinsey, Lee, Lewis, Lockett, Lutz, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Rich, Roberts, Robertson, Sasser, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Turnham, Venable, Waggoner, Warren, White, Wyatt and Younce.

—54

Nays:

Messrs.: Albright, Buskey, Coburn, Goodwin, Gregg, Hall, Hill, Hilliard, Hopping, Howard, Johnson, Jolly, Kennedy, Killian, Leonard, Riddick, Smith (B), and Trammell.

—18

AMENDMENT OFFERED

Mr. Boles offered the following amendment No. 3 to the bill, S. 469:

Amend section 4, subsection B-1 on page 8, line 14 by striking the words "two (2)" and insert in lieu thereof the words "point zero zero three"

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AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 3 offered by Mr. Boles to the bill, S. 469, was tabled.

Yeas 55; Nays 20.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Brindley, Callahan, Cates, Clark, Cross, Crowe, Drake, Folmar, Ford, Gafford, Greer, Harris, Holmes (A), Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lee, Lewis, Lutz, McCluskey, McMillan, McNees, Martin, Merrill, Mitchem, Morris, Naramore, Owens, Pegues, Rich, Riddick, Roberts, Robertson, Sandusky, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Turnham, Venable, Waggoner, Warren, White, Wyatt and Younce.

—55

Nays:

Messrs.: Albright, Biddle, Boles, Buskey, Goodwin, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Johnson, Jolly, Leonard, Lockett, Quarles, Shelton, Smith (B), and Trammell.

—20

AMENDMENT OFFERED

Mr. Smith (B) offered the following amendment to the bill, S. 469:

In Section 2 (j) on page 4, line 19, strike the word "regularly" and insert in lieu thereof the following:

capable of being

Also, in Section 2 (j), on page 4, line 22, strike the word "regularly" and insert in lieu thereof the following:

capable of being

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment offered by Mr. Smith (B) to the bill, S. 469, was tabled.

Yeas 49; Nays 34.

Yeas:

Mr. Speaker, Andrews, Armstrong, Biddle, Callahan, Cates, Cross, Crowe, Falkenburg, Folmar, Gafford, Goodwin, Greer, Holmes (A), Jackson (F), Kelley, Kennedy, Kinsey, Lee, Lewis, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Morris, Naramore, Owens, Plaster, Quarles, Robertson, Sandusky, Sasser, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Turnham, Venable, Waggoner, Warren, White, Wyatt and Younce.

—49

Nays:

Messrs.: Albright, Barren, Boles, Brindley, Buskey, Campbell, Carter, Coburn, Edwards, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Holmes (D), Jolly, Killian, Leonard, Lockett, Lutz, McNair, Mitchem, Moore (W), Pegues, Rich, Riddick, Roberts, Shelton, Smith (B), Taylor, Trammell and Weeks.

—34

SUBSTITUTE OFFERED

Mr. Leonard offered the following substitute to the bill, S. 469:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 11 of Act No. 551, S. 887, Regular Session 1975 (Acts of Alabama 1975, p. 1226), the Alabama Surface Mining Reclamation Act of 1975, an act establishing a system of regulation and control of coal surface mining and reclamation, so as to delete the current subsection c of Section 11 and thereby remove references to distances within which the Alabama Surface Mining Reclamation Commission may regulate the detonation of explosives, and to add a new subsection c to Section 11 to give the Commission the power to adopt rules for detonating explosives.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 11 of Act No. 551, S. 887, Regular Session 1975 (Acts of Alabama 1975, p. 1226), the "Alabama Surface Mining Reclamation Act of 1975," is hereby amended to read as follows:

"Section 11. Blasting Regulations.

"(a) An operator shall use explosives only in accordance with the rules, regulations, and standards as set forth the Mine Enforcement Safety Administration, the Coal Mining Laws of the State of Alabama and the open Pit and Quarry Safety Rules of the State of Alabama.

"(b) No blasting shall be performed after sunset or before sunrise except as may be required to comply with the rules, regulations and standards prescribed in Paragraph (a) above, or such other rules and regulations as may be adopted hereunder.

"(c) The Commission shall adopt rules for detonating explosives within three hundred (300) feet of occupied or usable buildings or dwellings in order to prevent injury to persons and property. In adopting the rules, the Commission shall consider the type and amount of explosive required relative to the geology of the area, and all related factors including acceptable practices in the industry.

"(c) The Commission shall adopt rules for detonating explosives. In adopting the rules, the Commission shall consider the type and amount of explosives required, acceptable industry practices, and other such factors as to provide ample notification to persons in buildings and dwellings near the blasting cite, minimum setbacks from occupied buildings and dwellings and public highways, and other such factors."

"(d) If an explosive is to be detonated within one thousand (1,000) feet of occupied buildings or dwellings, all persons in such buildings and dwellings shall be notified within twenty four hours prior to the blast; in those cases where the operator so elects, he may furnish such persons with a blasting schedule extending for a reasonable period of time.

"(e) No blasting shall be done within the prescribed minimum distance three hundred (300) feet unless prior written consent of the owner of the building has been obtained.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

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SUBSTITUTE TABLED

On motion of Mr. Crowe, the substitute offered by Mr. Leonard to the bill, S. 469, was tabled.

Yeas 52; Nays 30.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Brindley, Callahan, Cates, Cross, Crowe, Dial, Falkenburg, Folmar, Gafford, Greer, Harris, Holmes (D), Jackson (F), Kelley, Kinsey, Lee, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Plaster, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Turnham, Venable, Waggoner, Warren, Weeks, White, Wyatt and Younce.

—52

Nays:

Messrs.: Albright, Barron, Biddle, Boles, Buskey, Campbell, Coburn, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Howard, Johnson, Jolly, Kennedy, Killian, Leonard, Lewis, McNair, Pegues, Quarles, Rich, Riddick, Shelton, Smith (B), Trammell and Tucker.

—30

AMENDMENT OFFERED

Mr. Leonard offered the following amendment No. 1 to the bill, S. 469:

Amend S. 469 as follows:

On page 8, line 14, by striking out the word and figures "two (2)" and inserting in lieu thereof the figure .05

On page 9, line 24 by striking out the figure "2.0" and inserting in lieu thereof the figure .05

On page 10, line 1, by striking out the word and figure "two (2)" and inserting in lieu thereof the figure .05

On page 10, line 7, by striking out the word and figure "one (1)" and inserting in lieu thereof the figure .03

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 1 offered by Mr. Leonard to the bill, S. 469, as amended, was tabled.

Yeas 54; Nays 30.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Brindley, Callahan, Cates, Clark, Cross, Crowe, Dial, Folmar, Gafford, Glass, Greer, Harris, Holmes (A), Holmes (D), Jackson (F), Kelley, Kinsey, Lee, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Roberts, Robertson, Sasser, Shoemaker, Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Turnham, Venable, Waggoner, Warren, Weeks, White, Wyatt and Younce.

—54

Nays:

Messrs.: Albright, Barron, Boles, Buskey, Campbell, Carter, Edwards, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Hopping, Howard, Johnson, Johnstone, Jolly, Kennedy, Leonard, Lockett, McNair, Quarles, Rich, Riddick, Shelton, Smith (B), Trammell and Tucker.

—30

AMENDMENT OFFERED

Mr. Leonard offered the following amendment No. 2 to the bill, S. 469:

Amend S. 469 on page 9 by deleting all distances and their accompanying weights in pounds from a distance of 0 - 10 feet on line 3 down to and including the distance of 1,000 feet on line 6. Add on page 9, line 1, the sentence, "There shall be no blasting within 1,000 feet of the nearest normally occupied dwelling house, public building school, church, commercial or institutional building."

Add on page 9, line 19, after the period the sentence, "There shall be no blasting within 1,000 feet of the nearest normally used building."

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 2 offered by Mr. Leonard to the bill, S. 469, was tabled.

Yeas 44; Nays 37.

Yeas:

Mr. Speaker, Andrews, Armstrong, Callahan, Cates, Clark, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Gafford, Greer, Holmes (D), Jackson (F), Kelley, Kinsey, Lee, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (C), Sparks, Turnham, Venable, Waggoner, Warren, Weeks, White, Younce.

—44

Nays:

Messrs.: Albright, Barron, Boles, Buskey, Campbell, Carter, Edwards, Ford, Glass, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Holmes (A), Hopping, Howard, Johnson, Johnstone, Jolly, Kennedy, Killian, Leonard, Lewis, Lockett, McNair, Quarles, Rich, Riddick, Shelton, Smith (B), Smith (J), Starkey, Taylor, Trammell and Tucker.

—37

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 557. MOURNING THE DEATH OF ROLAND COOPER, PROMINENT WILCOX COUNTY BUSINESSMAN, CATTLE FARMER, FORMER STATE SENATOR AND PROBATE JUDGE.

Also:

H. J. R. 559. MOURNING THE DEATH OF JUDGE KENNETH JOHNSON GRIFFITH.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

S. 469 RESUMED

AMENDMENT OFFERED

Mr. Killian offered the following amendment to the bill, S. 469:

Amend S. B. 469 by deleting the following words from the Title on lines 8, 9 and 10 of page 2, viz:

to repeal certain laws and to prohibit the enactment of local, county or municipal regulations;

Further amend S. B. 469 by deleting Section 8 on pages 13 and 14 in its entirety and inserting in lieu thereof the following, viz:

Section 8. All laws or parts of laws in conflict with this act are hereby repealed, provided, however, that nothing in this act shall be interpreted to prevent the enactment of any local law or the enactment of any ordinance or regulation by any county, city, town or other political subdivision that further regulates blasting or the use of explosives.

MOTION TO TABLE LOST

The motion offered by Mr. Crowe to table the amendment offered by Mr. Killian to the bill, S. 469, was lost.

Yeas 36; Nays 46.

Yeas:

Mr. Speaker, Andrews, Armstrong, Callahan, Carothers, Clark, Cross, Crowe, Falkenburg, Folmar, Gafford, Goodwin, Holmes (A), Jackson (F), Kinsey, McMillan, McNeese, Manley, Merrill, Moore (O), Morris, Naramore, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (J), Sonnier, Sparks, Turnham, Venable, Waggoner, Warren, Wyatt and Younce.

—36

Nays:

Messrs.: Albright, Barron, Biddle, Boles, Brindley, Buskey, Campbell, Cates, Coburn, Edwards, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Johnson, Jolly, Kennedy, Killian, Lee, Leonard, Lewis, Lockett, McNair, Martin, Mitchem, Moore (W), Pegues, Quarles, Rich, Riddick, Shelton, Smith (B), Smith (M), Starkey, Taylor, Trammell, Tucker, Weeks and White.

—46

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Killian to the bill, S. 469, and the amendment was adopted.

Yeas 53; Nays 31.

Yeas:

Messrs.: Albright, Barron, Biddle, Boles, Brindley, Buskey, Campbell, Carter, Cates, Coburn, Dial, Edwards, Goodwin, Gregg, Hall, Harris,

Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Johnson, Johnstone, Jolly, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McMillan, McNair, McNees, Manley, Martin, Mitchem, Moore (W), Pegues, Quarles, Rich, Riddick, Roberts, Shelton, Smith (B), Smith (M), Starkey, Taylor, Trammell, Tucker and Venable.

—53

Nays:

Mr. Speaker, Andrews, Armstrong, Callahan, Carothers, Clark, Cross, Crowe, Falkenburg, Folmar, Gafford, Holmes (A), Jackson (F), McCluskey, Merrill, Moore (O), Naramore, Owens, Robertson, Sandusky, Sasser, Shoemaker, Sonnier, Sparks, Turnham, Waggoner, Warren, Weeks, White, Wyatt and Younce.

—31

AMENDMENT OFFERED

Mr. Crowe offered the following amendment to the bill, S. 469 as amended:

Page 2, Line 26—delete the words “road building, various activities by or on behalf of the”

Page 2, Line 27—delete the word “public”

Page 3, between Lines 3 and 4—add subsection 3 as follows “(3) This bill specifically exempts those persons, firms and/or agencies engaged in the road building industry when the use of blasting agents and/or explosives are essential to the construction of a road or highway as herein described”

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Biddle, Boles, Brindley, Callahan, Carothers, Carter, Cates, Coburn, Cross, Crowe, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (D), Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Venable, Weeks, White, Williams, Wyatt and Younce.

—76

AMENDMENT OFFERED

Mr. Gregg offered the following amendment to the bill, S. 469 as amended:

Amend S. B. 469 by deleting the numbers “1976” on line 2, page 15, and insert in lieu of the numbers “1977”

AMENDMENT ADOPTED

And the amendment was adopted.

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Yeas 72; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Barron, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cross, Crowe, Dial, Edwards, Gafford, Goodwin, Gregg, Hall, Harris, Harrison, Hilliard, Hines, Holmes (D), Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (J), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Venable, Warren, Weeks, White, Wyatt and Younce.

—72

MOTION TO POSTPONE TABLED

On motion of Mr. Crowe, the motion offered by Mr. Rich to postpone further consideration of the bill, S. 469 as amended, to the twenty-ninth legislative day, was tabled.

Yeas 45; Nays 41.

Yeas:

Mr. Speaker, Andrews, Armstrong, Biddle, Callahan, Carothers, Carter, Clark, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Gafford, Greer, Holmes (A), Holmes (D), Jackson (F), Kelley, Kennedy, Lee, McCluskey, McMillan, McNees, Merrill, Moore (O), Moore (W), Morris, Naramore, Owens, Plaster, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (C), Sonnier, Turnham, Waggoner, Warren, White, Wyatt and Younce.

—45

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Cates, Coburn, Ford, Glass, Goodwin, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Hopping, Howard, Johnson, Jolly, Killian, Leonard, Lewis, Lockett, McNair, Martin, Mitchem, Pegues, Quarles, Rich, Riddick, Smith (B), Starkey, Taylor, Trammell, Tucker, Venable, Weeks.

—41

AMENDMENT OFFERED

Mr. Leonard offered the following amendment No. 3 to the bill, S. 469 as amended:

Amend S. 469 on page 9 by deleting all distances and their accompanying weights in pounds from a distance of 0 - 10 feet on line 3 down to and including the distance of 1,000 feet on line 6. Add on page 9, line 1, the sentence, "There shall be no blasting within 1,000 feet of the nearest normally occupied dwelling house, public building, school, church, commercial or institutional building using more than two pounds of explosives."

Add on page 9, line 19, after the period the sentence, "There shall be no blasting within 1,000 feet of the nearest normally used building using more than two pounds of explosives."

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 3 offered by Mr. Crowe to the bill, S. 469 as amended, was tabled.

Yeas 50; Nays 37.

Yeas:

Mr. Speaker, Andrews, Armstrong, Biddle, Callahan, Carothers, Carter, Clark, Coburn, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Harris, Holmes (A), Jackson (F), Kelley, Lee, McCluskey, McMillan, McNees, Martin, Merrill, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (M), Sonnier, Sparks, Starkey, Turnham, Waggoner, Warren, Weeks, Whatley, White, Wyatt and Younce.

—50

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Dial, Edwards, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Holmes (D), Hopping, Howard, Johnson, Johnstone, Jolly, Kennedy, Killian, Leonard, Lewis, Lockett, McNair, Moore (W), Quarles, Rich, Riddick, Smith (B), Smith (J), Taylor, Trammell, Tucker and Venable.

—37

MOTION TO ADJOURN LOST

The motion offered by Mr. Holley that the House adjourn until 1:00 o'clock p.m., Wednesday, May 4, 1977, was lost.

S. 469 RESUMED

MOTION TO POSTPONE TABLED

On motion of Mr. Crowe, the motion offered by Mr. Gregg to postpone further consideration of the bill, S. 469 as amended, to the thirtieth legislative day, was tabled.

Yeas 51; Nays 31.

Yeas:

Mr. Speaker, Andrews, Armstrong, Callahan, Carothers, Carter, Clark, Cross, Crowe, Edwards, Falkenburg, Folmar, Gafford, Goodwin, Harris, Holmes (A), Holmes (D), Jackson (F), Kelley, Kennedy, Lee, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (C), Sonnier, Sparks, Starkey, Taylor, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Wyatt and Younce.

—51

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Coburn, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Hopping, Howard, Johnson, Jolly, Leonard, Lewis, Lockett, Lutz, McNair, Moore (W), Pegues, Rich, Riddick, Shelton, Smith (B), Trammell and Tucker.

—31

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. J. R. 333. CONGRATULATING MR. WATT A. ELLIS, CANDIDATE FOR WATERSHED-MAN-OF-THE-YEAR.

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Also:

S. 422. To authorize the Governor, by Executive Order, to freeze at the present level or to roll back to any level existing at any time during the six month period immediately preceding said Executive Order, any utility rate or rates established by the Alabama Public Service Commission for a period of up to one year.

Also:

S. 612. To amend further Section 10 of Act No. 651, S. 524, Regular Session 1976, which relates to the qualifications, election, compensation and duties of the coroner of any county having a population of not less than 300,000 nor more than 600,000, according to the 1970 or any subsequent Federal decennial census.

Also:

S. 837. Relating to Pickens County, to provide that the County Commission may provide for a certain clerk hire allowance for the Tax Assessor and Tax Collector of said County.

Also:

S. 33. To provide an entirely new criminal code for the State of Alabama; defining offenses, fixing punishment; repealing numerous specific code sections and statutes that conflict herewith as well as all other laws that conflict with this act.

Also:

S. 197. To permit the State Board of Education, through the State Superintendent of Education, to enter into an interstate agreement known as the "Interstate Agreement on Qualification of Educational Personnel" for the purpose of establishing cooperative arrangements with other states for persons to meet teacher certification requirements.

Also:

S. 304. To amend further Code of Alabama, 1940, Title 37, Section 10, which relates to the incorporation of unincorporated municipalities in order to provide specifically for the incorporation of unincorporated communities on islands in counties having populations of not less than 300,000 nor more than 600,000 according to the 1970 or any subsequent federal decennial census.

Also:

S. 400. To further amend Section 11 of Act No. 492, General Acts of Alabama, Regular Session 1947; to provide that a non-resident contractor shall satisfy the Highway Department that it has paid all taxes due and payable to the State of Alabama or any political subdivision thereof prior to receiving final payment for contract work.

Also:

S. 480. To provide that certain Lee County officers, i.e.: tax collector and tax assessor be placed on a salary; to provide further the amount and mode of payment; to establish clerk hire allowances for such officers, and to provide for the payment from the general funds of the county.

Also:

S. 621. To amend Act No. 1024, S. 431, Regular Session 1973 (Acts 1973, p. 1561) relating to county supplemental payments to retired or

supernumerary circuit judges of certain judicial circuits, so as to specifically exempt the twenty-third (23rd) judicial circuit from the provisions of the act.

Also:

S. 702. To amend Section 167, Title 62, Code of Alabama of 1940 so that said Section 167, as amended, will provide in substance as follows: that in Jefferson County the Office of Coroner is abolished and that all powers, rights and duties now or hereafter authorized or required by law to be performed by coroners shall be exercised and performed by the county governing body through appointed Coroners/Medical Examiners, representatives or agents, for the performance of such duties in the entire county or in a designated portion thereof; that the county governing body shall be authorized to promulgate rules and regulations governing the operation of the Coroners'/Medical Examiners' office and the performance of the duties of the members of the staff; that the employment and compensation of such Coroners/Medical Examiners, representatives or agents shall be governed by any applicable civil service law; that each Coroner/Medical Examiner shall be a physician licensed to practice medicine in Alabama and recognized and trained in forensic medicine and pathology; that when there is more than one Coroner/Medical Examiner on the staff, the county governing body shall designate one of them as the Chief Coroner/Medical Examiner, and until such designation the Coroner/Medical Examiner longest in the continuous service of the County shall be the Chief Coroner/Medical Examiner; that the Chief Coroner/Medical Examiner shall direct the staff, subject to the supervision of the county governing body; that it shall be the duty of the Chief Coroner/Medical Examiner to investigate and determine, or to secure another Coroner/Medical Examiner to investigate and determine the cause and manner of any death when any death falls within one or more of the following categories: (a) criminal violence or criminal neglect, (b) suicide, (c) accident, (d) suddenly when in apparent good health, (e) unattended by a practicing physician, (f) suspicious or unusual circumstances, (g) criminal abortion, (h) poisoning, (i) diseases constituting a threat to public health, (j) disease, injury or toxic agent resulting from employment, (k) while under anesthesia or within twenty-four hours following anesthesia or any other diagnostic or therapeutic procedure, (l) in any prison or penal institution, (m) when in police custody, (n) when a body is to be cremated, dissected or buried at sea, (o) unclaimed bodies, and (p) when a dead body is brought into this State without proper medical certification; that in investigating a death under Section 167, a Coroner/Medical Examiner shall be authorized to take charge of the dead body, to investigate the circumstances of the death, to conduct or have conducted an autopsy, and whether or not there is an autopsy, to take and retain whatever tissues and biological samples he deems necessary, including blood and/or urine, from the body of a person which he deems necessary to establish the cause and manner of such person's death, and to take possession of any object or article which in his opinion would be useful in establishing the identity of the deceased and/or the cause and manner of death; that there shall be vested in Medical Examiners all the authority now or hereafter vested in coroners by the law of Alabama, including the authority Section 76, Title 15, Code of Alabama of 1940, herein called "Section 76", vests in coroners to make inquiry of the facts and circumstances of the death of any person who has been killed or has suddenly died under such circumstances as to afford a reasonable ground for belief that such death has been occasioned by the act of another by unlawful means, and the authority Section 76 vests in coroners to submit to a judge of a court of record or a district attorney sworn written state-

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ments of witnesses having personal knowledge of such circumstances, and to summon, upon direction of such judge or district attorney, a jury to inquire into the cause and manner of such person's death; and that no member of the county governing body, Coroner/Medical Examiner, registered nurse or appointed assistant, shall incur any civil or criminal liability for his actions under Section 167.

Also:

S. 737. Relating to the city school board of Selma; providing for the appointment and terms of the members of such board.

Also:

S. 738. Relating to Pickens County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Also:

S. 755. Relating to Cullman County; to authorize and permit "flea" markets in said county to remain open for business during certain hours on Sunday; to provide for the licensing of such "flea" markets and to authorize the State to enjoin such "flea" markets from remaining open on Sunday contrary to this Act.

Also:

S. 776. To amend the Title and Section 1 of Act No. 1186, H. 1278, 1975 Regular Session (Acts of 1975, p. 2318) entitled, "An Act Relating to Lawrence County; to provide that a certain percentage of the proceeds accruing to the Alabama Department of Aeronautics from any rental or lease agreement covering certain lands in said county shall be deposited to the Lawrence County general fund; requiring all such leases to be let on a competitive bid basis," so as to provide that all of the revenue from the lease of such land shall go to the state aeronautics department.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

S. 469 RESUMED

AMENDMENT OFFERED

Mr. Leonard offered the following amendment No. 4 to the bill, S. 469 as amended:

Amend S. 469 on pages 9 and 10 by deleting all words in Section (5) after the first sentence of Section (5).

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 4 offered by Mr. Leonard to the bill, S. 469 as amended, was tabled.

Yeas 47; Nays 35.

Yeas:

Mr. Speaker, Andrews, Armstrong, Callahan, Carothers, Clark, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Harris, Holmes (A), Jackson (F), Kelley, Lee, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Riddick, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (C), Sonnier, Sparks, Starkey, Taylor, Turnham, Venable, Waggoner, Warren, Whatley, White, Wyatt and Younce.

—47

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Cates, Coburn, Edwards, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Johnstone, Jolly, Kennedy, Leonard, Lewis, Lockett, Lutz, McNair, Pegues, Rich, Shelton, Smith (B), Smith (J), Trammell and Tucker.

—35

AMENDMENT OFFERED

Mr. Leonard offered the following amendment No. 5 to the bill, S. 469 as amended:

Amend S. 469 on page 9 by deleting all distances and their accompanying weights in pounds from a distance of 0 - 10 feet on line 3 down to and including the distance of 800 feet on line 6. Add on page 9, line 1, the sentence, "There shall be no blasting within 800 feet of the nearest normally occupied dwelling house, public building, school, church, commercial or institutional building using more than two pounds of explosive."

Add on page 9, line 19, after the period the sentence, "There shall be no blasting within 800 feet of the nearest normally used building using more than two pounds of explosives."

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 5 offered by Mr. Leonard to the bill, S. 469 as amended, was tabled.

Yeas 45; Nays 33.

Yeas:

Mr. Speaker, Andrews, Armstrong, Biddle, Callahan, Carothers, Carter, Clark, Cross, Crowe, Drake, Gafford, Goodwin, Holmes (A), Jackson (F), Kelley, Kennedy, Kinsey, Lee, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Reed, Roberts, Robertson, Sandusky, Shelton, Smith (C), Sonnier, Sparks, Starkey, Turnham, Venable, Waggoner, Warren, Weeks and White.

—45

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Cates, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Hopping, Howard, Johnson, Johnstone, Jolly, Killian, Leonard, Lewis, Lockett, McNair, Quarles, Rich, Riddick, Smith (B), Smith (J), Taylor, Trammell, Tucker and Wyatt.

—33

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 548. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide for a county supplement to the state pay for the district judges in such counties.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Waldrop:

S. 887. Relating to cities with populations of not less than 50,000 nor more than 60,000; to amend further Act No. 785, H. 76, 1965 Regular Session, which provides for the operation of all such cities under the commission form of government, so as to provide further for the nomination of candidates for membership on the board of commissioners by prescribing the date of the primary for such offices; and for the filling of vacancies on the board of commissioners.

Also:

By Mr. Waldrop:

S. 888. Relating to all cities having a population of not less than 50,000 nor more than 60,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide for certain equitable and moral employment rights for those employees of such cities who have suffered any permanent injury and/or disability while acting in the line and scope of their employment with such cities.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 887. Local Legislation No. 1.

S. 888. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. McDonald (S):

S. 869. To provide that the investigators of the district attorney of the thirtieth Judicial Circuit shall have arrest powers in Blount County.

Also:

By Mr. Peden:

S. 870. Relating to all counties having populations of not less than 65,500 nor more than 75,200 inhabitants according to the 1970 or any subsequent federal decennial census; exempting the construction, use, occupancy and enjoyment of children's tree houses and play houses from municipal, city, zoning or other ordinances.

Also:

By Mr. Waldrop:

S. 871. Relating to all cities having populations of not less than 50,000 nor more than 60,000 inhabitants according to the 1970 or any subsequent federal decennial census; amending Section 8 of Act No. 785, H. 76 of the 1965 Regular Session (Acts 1965, Vol. II, p. 1467), which section pertains to the salaries of the mayor and commissioners in all such cities, so as to further provide for such compensation.

Also:

By Mr. Waldrop:

S. 872. To amend further the Title and Section 1 of Act No. 464, H. 528, Regular Session 1967 (Acts 1967, p. 1155), as last amended, which provides for the fixing, disposition, and use of fees collected for the issuance of pistol permits in all counties having a population of not less than 90,000 nor more than 100,000 according to the 1970 or any subsequent federal decennial census, so as to provide that the sheriff may fix the amount of the permit fee and may use the proceeds to establish a monthly expense allowance for the deputies.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 869. Local Legislation No. 1.
- S. 870. Local Legislation No. 1.
- S. 871. Local Legislation No. 1.
- S. 872. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Waldrop:

S. 889. Relating to all counties having populations of not less than 90,000 nor more than 100,000 according to the 1970 or any subsequent federal decennial census; to provide for the filling of vacancies in any elected county offices.

Also:

By Mr. Fine:

S. 854. Relating to all counties having populations not less than 22,575 nor more than 23,800 inhabitants according to the 1970 or any

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subsequent federal decennial census; providing a civil service system based on merit to govern the appointment, removal, tenure, and official conduct of full-time law enforcement officers of any such county and the municipalities therein; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Also:

By Mr. Wilson:

S. 876. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the county treasury.

Also:

By Mr. Waldrop:

S. 890. Relating to all counties having populations of not less than 90,000 nor more than 100,000 inhabitants according to the 1970 or any subsequent federal decennial census; providing for the filling of vacancies in any elected judicial offices in such counties.

Also:

By Messrs. Pearson, Gilmore, Vacca, Ellis, Clemon, McMillan and Wilson
(With Notice and Proof):

S. 880. To further amend Section 10 of Act 497 of the Regular Session of the Legislature of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which establishes a pension system for employees and officers of Jefferson County, Alabama.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. 880, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Messrs. McMillan, Vacca and Ellis:

S. 878. Relating to cities having a population of 250,000 inhabitants or more according to the last or most recent federal decennial census; to authorize provision of hospitalization insurance for retired employees between the ages of 50 and 65, and to retired employees retired because of disability at any age up to age 65.

Also:

By Messrs. McMillan, Vacca and Ellis:

S. 879. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be lo-

cated as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Also:

By Messrs. Vacca and Gilmore:

S. 863. Applying to every County of the State having a population of 500,000 or more according to the last or any subsequent Federal Census; to provide that no member, director, officer or trustee as a member of the Board of Trustees of any public corporation created in any such County pursuant to Act No. 46 of the Regular Session of the Legislature of Alabama of 1949, approved June 2, 1949 (Ala. Acts, 1949, pp. 68-73), as amended, (which appears as Tit. 22, Article V, Subdivision 1, Sections 204 (18)-204 (30), 1958 Code of Ala. Recomp.), and including a hospital, clinic, or nursing home owned or operated by the County, shall be personally liable for the debts, torts or undertakings of the corporation; nor shall the County, its governing body or the members of its governing body be liable for the debts, torts, or undertakings of the corporation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 889. Local Legislation No. 1.
- S. 854. Local Legislation No. 1.
- S. 876. Local Legislation No. 1.
- S. 890. Local Legislation No. 1.
- S. 880. Local Legislation No. 2.
- S. 878. Local Legislation No. 2.
- S. 879. Local Legislation No. 2.
- S. 863. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Noonan:

S. 296. To amend the Title and Section 1 of Act No. 75, S. 19, Fourth Special Session 1975 (Acts 1975, p. 2697) relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the 1970 or any subsequent federal decennial census so as to provide further for the use of voting machines with printout results.

Also:

By Mr. Shelby:

S. 330. Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent

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federal decennial census; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such pleas shall constitute a waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Also:

By Mr. Shelby:

S. 331. Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide that any defendant in a criminal case represented by counsel may enter a written plea of not guilty prior to his arraignment, and any such plea shall constitute a waiver of his right to have an arraignment at which he is present in person or represented in person by an attorney.

Also:

By Mr. Baker:

S. 526. Relating to the ninth judicial circuit, providing the register serving the most populous county of the circuit certain compensation supplemental to that compensation payable from the state, to be paid by the county commission of the most populous county of the circuit.

Also:

By Mr. Roberts:

S. 613. To provide that procedural and substantive rights be accorded law enforcement officers of all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent Federal decennial census; defining the right to counsel secured by the Sixth Amendment of the United States Constitution and procedural due process rights of hearings conducted to determine alleged misconduct of any officer; providing for access to records pertaining to fitness for duty and amendment of records pertaining to fitness for duty; providing for the processing of grievances and complaints against law enforcement officers; and providing that any law enforcement officer may bring a civil action for damages suffered while on official duty in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent Federal decennial census.

Also:

By Mr. Teague:

S. 756. Relating to all counties having population of not less than 65,000 nor more than 68,000 according to the 1970 or any subsequent federal decennial census; to provide for the deposit of all pistol permit fees into a special fund to be known as the sheriff's law enforcement fund for the use of the sheriff.

Also:

By Mr. Fine:

S. 767. Relating to all counties having populations of not less than 23,900 nor more than 24,450 inhabitants according to the 1970 or any subsequent federal decennial census; empowering the governing body of any such county to authorize the sheriff of the county to employ cooks at the county jail; empowering the governing body of any such county to

fix the compensation of such cooks; providing for the payment thereof out of the county general fund and giving this act retroactive effect.

Also:

By Mr. Wilson:

S. 823. To amend Section 1 of Act No. 741, H. 1860 of the Regular Session of 1973 (Acts 1973, p. 1100) relating to expense allowances of the chairman and members of the governing bodies of counties having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census, so as to raise such allowance.

Also:

By Mr. Adams (With Notice and Proof):

S. 829. To amend the City of Dothan Pension and Retirement System established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Alabama Legislature, approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature, approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature, approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature approved July 12, 1971; Act No. 78, Regular Session of the Alabama Legislature, approved July 25, 1975.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 829, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Teague:

S. 833. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide certain expense allowances for the members of the county commission of such counties.

Also:

By Mr. Fine:

S. 853. Relating to all counties having populations not less than 16,245 nor more than 16,300 inhabitants according to the 1970 or any subsequent federal decennial census; providing a civil service system based on merit to govern the appointment, removal, tenure, and official conduct of full-time law enforcement officers of any such county and the municipalities therein; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Also:

By Mr. Wilson:

S. 877. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the probate judge.

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Also:

By Mr. Noonan:

S. 886. Relating to all counties having a population of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census in the State of Alabama; providing that the Personnel Board of such counties shall have the exclusive authority to adopt a Pay Plan for all county employees in the classified service, and further providing that it shall be unlawful for any official to pay any compensation, salary, or allowance in excess of said Pay Plan.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 296. Local Legislation No. 3.
- S. 330. Local Legislation No. 1.
- S. 331. Local Legislation No. 1.
- S. 526. Local Legislation No. 1.
- S. 613. Local Legislation No. 3.
- S. 756. Local Legislation No. 1.
- S. 767. Local Legislation No. 1.
- S. 823. Local Legislation No. 1.
- S. 829. Local Legislation No. 1.
- S. 833. Local Legislation No. 1.
- S. 853. Local Legislation No. 1.
- S. 877. Local Legislation No. 1.
- S. 886. Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Clemon:

S. 836. Relating to every wet county having a population of 500,000 or more according to the 1970 or any subsequent federal decennial census; to authorize the selling of alcoholic beverages by an ABC Board licensee in the county's Civic Center area; to empower the governing body of the county seat of any such county to adopt and enforce ordinances establishing business hours for ABC Board licensees to sell or serve alcoholic beverages in the Civic Center area, and to prescribe the penalties for violation of any such ordinances; and to repeal all laws of the state establishing business hours for ABC licensees in the Civic Center area now in effect.

Also:

By Mr. Stewart:

S. 627. Providing for the establishment of a family court division of the circuit court of the seventh judicial circuit; prescribing the jurisdiction of such court; providing for the selection, appointment, qualifications, tenure, and compensation of its officers, and administrative and

clerical personnel and providing for the transfer of cases from all other courts in such circuit having jurisdiction of juveniles and of domestic relations cases.

Also:

By Mr. Baker:

S. 673. To provide the district attorney of the Ninth Judicial Circuit with a secretary and an investigator; and to further provide that the salaries and expenses of such be paid by the counties comprising the circuit, upon expiration and depletion of funding and grants available or provided from the federal government for such purposes.

Also:

By Mr Adams (With Notice and Proof):

S. 725. To alter, rearrange, and extend the City Limits and Corporate Limits of the Municipality of Eufaula, in Barbour County, Alabama.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 725, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Powell:

S. 742. To propose an amendment to the Constitution of Alabama providing for home rule for Elmore County or any municipality within Elmore County.

Also:

By Mr. Baker:

S. 753. Relating to judicial procedure in the Ninth Judicial Circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

Also:

By Mr. Wilson:

S. 759. Relating to all counties having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to abolish all supplements and expense allowances for certain county officials and to set the salaries of such officials.

Also:

By Mr. Wilson:

S. 761. Relating to all counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the 1970 or any subsequent federal decennial census; providing further for the costs and charges in criminal cases in any court of such county.

Also:

By Mr. Edwards (With Notice and Proof):

S. 811. Relating to Morgan County; to further regulate the compensation of members of the county board of registrars; to repeal any

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laws conflicting with this Act and specifically Act No. 668, S. 787, Regular Session 1969 (Acts 1969, p. 1203) and Act No. 580, S. 568, Regular Session 1976 (Acts 1976, p. 787).

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 811, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Edwards (With Notice and Proof):

S. 812. Relating to Morgan County, to amend further Act No. 520, H. 1154, Regular Session 1965 (Acts 1965, p. 762), relative to establishing a jury commission for the county so as to provide further for the composition of said commission, and to provide that the county governing body shall set the maximum salary limits of the clerk and other appointive members of the commission.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 812, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Edwards (With Notice and Proof):

S. 813. To repeal Act No. 679, H. 1377, approved September 8, 1961, entitled "An Act to define, regulate and license barbers and barber colleges; and other like businesses in Morgan County; to create a Barbers Commission for said county; to fix the powers and duties of said Commission; and to provide a penalty for violation of the provisions hereof," as amended.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 813, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Edwards (With Notice and Proof):

S. 814. Relating to Morgan County; to provide additional compensation for poll workers and poll officials in said county.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 814, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919

McDOWELL LEE, SECRETARY

Also:

By Mr. Wilson:

S. 815. To repeal Act No. 928, H. 1765 of the Regular Session of 1971 (Acts 1971, p. 1687) entitled, "An Act To provide for expense allowances for tax assessors in certain counties classified on a population basis."

Also:

S. 816. To repeal Act No. 748, S. 604 of the Regular Session of 1975 (Acts 1975, p. 1515) entitled, "An Act Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the judge of the intermediate court."

Also:

By Mr. Wilson:

S. 817. To repeal Act No. 926, H. 1763 of the Regular Session of 1971 (Acts 1971, p. 1686) entitled, "An Act To provide for expense allowances for Tax Collectors in certain counties classified on a population basis."

Also:

By Mr. Wilson:

S. 818. To repeal Act No. 69, H. 70 of the Third Special Session of 1971 (Acts 1971, p. 4217) entitled, "An Act To provide for an additional eighteen hundred dollar (\$1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census."

Also:

By Mr. Wilson:

S. 819. To repeal Act No. 2400, H. 1767 of the Regular Session of 1971 (Acts 1971, p. 3831) entitled, "An Act To provide for expense allowances for the Judge of the Intermediate Court in certain counties classified on a population basis."

Also:

By Mr. Wilson:

S. 820. To repeal Act No. 682, S. 277 of the Regular Session of 1965 (Acts 1965, p. 1243) entitled, "An Act To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit."

Also:

By Mr. Wilson:

S. 821. To repeal Act No. 71, H. 181 of the Second Special Session of 1965 (Acts 1965, p. 94) entitled, "An Act To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit."

Also:

By Mr. Wilson:

S. 822. To repeal Act No. 104, S. 15 of the First Special Session of 1971 (Acts 1971, p. 186) entitled, "An Act Relating to all counties having populations of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; providing an expense allowance for the circuit clerk of such counties."

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Also:

By Mr. Goodwin (With Notice and Proof):

S. 825. To amend the title and Sections 1 and 4 of Act No. 969, H. 2064, Regular Session 1973, (Acts 1973, p. 1485), relating to certain county supplementary pay by Dallas County to any circuit judge of the county, so as to provide the same supplementary pay to the district judge of the county.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 825, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Edwards (With Notice and Proof):

S. 830. To amend Section 1 of Act No. 849, S. 189, 1975 Regular Session (Acts of 1975, p. 1691), entitled, "An Act Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint," so as to correct an error in the description of the property to be annexed.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 830, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 836. Local Legislation No. 2.
- S. 627. Ways and Means.
- S. 673. Local Legislation No. 1.
- S. 725. Local Legislation No. 1.

SENATE MESSAGE

The Senate Bill, S. 742, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 753. Local Legislation No. 1.
- S. 759. Local Legislation No. 1.
- S. 761. Local Legislation No. 1.
- S. 811. Local Legislation No. 1.
- S. 812. Local Legislation No. 1.
- S. 813. Local Legislation No. 1.

- S. 814. Local Legislation No. 1.
- S. 815. Local Legislation No. 1.
- S. 816. Local Legislation No. 1.
- S. 817. Local Legislation No. 1.
- S. 818. Local Legislation No. 1.
- S. 819. Local Legislation No. 1.
- S. 820. Local Legislation No. 1.
- S. 821. Local Legislation No. 1.
- S. 822. Local Legislation No. 1.
- S. 825. Local Legislation No. 1.
- S. 830. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Owen:

S. J. R. 349. NAMING THE NEW LIVESTOCK DISEASE DIAGNOSTIC AND AGRICULTURAL CHEMICAL LABORATORY BUILDING OF THE DEPARTMENT OF AGRICULTURE AND INDUSTRIES THE "GILMER-TURNHAM BUILDING".

Also:

By Messrs. Pearson, McMillan, Gilmore, Ellis, Clemon and Wilson:

S. J. R. 350. TO ENCOURAGE THE UNIVERSITY OF ALABAMA IN BIRMINGHAM TO CONSIDER FIELDING A MAJOR BASKETBALL TEAM.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolutions, S. J. R. 349 and S. J. R. 350, the titles of which are set out in the above and foregoing Message from the Senate were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Wilson, Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Goodwin, Higginbotham, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Miller, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Teague, Vacca and Waldrop:

S. J. R. 352. MOURNING THE DEATH OF ROLAND COOPER, PROMINENT WILCOX COUNTY BUSINESSMAN, CATTLE FARMER, FORMER STATE SENATOR AND PROBATE JUDGE.

WHEREAS, the Legislature of Alabama has been deeply grieved by the tragic death of our former colleague and beloved friend, Roland Cooper, on April 30, 1977, at the age of 63; and

WHEREAS, Roland Cooper, son of Mr. and Mrs. W. R. Cooper, was born and reared on a farm in Robertsedale, Alabama, was educated in the

public schools of Baldwin County and moved to Camden in 1935 while employed by the State Highway Department; he later was a cattle farmer and had been the owner of an automobile dealership since 1945; and

WHEREAS, he was a prominent and powerful figure in local, county and state politics having served for two terms as mayor of Camden, was a delegate to the 1952 Democratic National Convention and was elected to five terms in the Senate, resigning during his fifth term to accept Governor George Wallace's appointment as Probate Judge of Wilcox County; during his tenure in the Senate, he served as chairman of numerous important committees, was an acknowledged expert in parliamentary procedure, and was three times voted "Most Effective Senator" by the press, radio and television reporters; he was affectionately referred to as the "Wily Fox from Wilcox";

WHEREAS, Judge Cooper was further actively involved in many other governmental, business, civic, charitable and religious affairs of his community and state, serving as past president of the Alabama Automobile Dealers Association, past director of the Alabama League of Municipalities, as a member of the Board of Trustees of the University of South Alabama, and Chairman of the Wilcox Memorial Hospital Board; he was a Mason, Shriner, member of the Camden Exchange Club and of the Camden Baptist Church; and

WHEREAS, this Legislature, in its awareness and appreciation of Roland Cooper's many significant and lasting contributions to the State of Alabama, desires to pay tribute to this great leader; he will be deeply missed and long remembered with love, affection and esteem by his family, his many friends, and by all those who were privileged to know him; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we do grievously mourn the death of our esteemed former colleague, Roland Cooper, and extend our most heartfelt sympathy to the members of his family.

BE IT FURTHER RESOLVED, That a page of the Senate Journal be set aside to honor the memory of our beloved friend.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his wife, Stella Handly Cooper; his son, William Roland Cooper; his daughter Bett, Mrs. George Mathews of Montgomery; and his daughter Judy, Mrs. Richard Shattuck of North Little Rock, Arkansas, that they may know of our concern for them, and that we share in their great loss.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, S. J. R. 352, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Mims:

S. J. R. 347. COMMENDING WILBUR HARDEN, GRAND MASTER OF THE ALABAMA GRAND LODGE.

Also:

By Mr. Mims:

S. J. R. 348. CONGRATULATING MR. BEN ROGERS LEE OF COFFEEVILLE, ALABAMA.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolutions, S. J. R. 347 and S. J. R. 348, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Owen:

S. J. R. 346. COMMENDING WILBUR HARDEN, GRAND MASTER OF THE ALABAMA GRAND LODGE.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, S. J. R. 346, on the Clerk's desk for one legislative day.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:45 p.m. on May 3, 1977:

H. J. R. 550
H. J. R. 552

Delivered to the Governor at 2:30 p.m. on May 3, 1977:

H. 1238
H. 1239
H. 235

Delivered to the Governor at 5:20 p.m. on May 3, 1977:

H. J. R. 557
H. J. R. 559

JOHN W. PEMBERTON,
Clerk.

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ADJOURNMENT

On motion of Mr. Manley and pursuant to the resolution, H. R. 563 heretofore adopted, the House adjourned until 1:00 o'clock p.m. Wednesday, May 4, 1977.

Yeas 50; Nays 34.

Yeas:

Messrs.: Andrews, Boles, Brindley, Cates, Coburn, Crawford, Cross, Dial, Drake, Edwards, Folmar, Ford, Goodwin, Greer, Hall, Harris, Harrison, Hilliard, Holley, Holmes (A), Hopping, Howard, Johnson, Jolly, Killian, Leonard, Lewis, Lockett, McNair, Manley, Merrill, Moore (O), Moore (W), Pegues, Rich, Riddick, Roberts, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Tucker, Whatley, White and Williams.

—50

Nays:

Mr. Speaker, Albright, Armstrong, Barron, Biddle, Campbell, Carothers, Crowe, Falkenburg, Gafford, Gregg, Hill, Hines, Holmes (D), Jackson (F), Kelley, Lee, McCluskey, McNees, Martin, Mitchem, Morris, Naramore, Owens, Quarles, Robertson, Shelton, Smith (C), Turnham, Venable, Waggoner, Warren, Weeks and Wyatt.

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TWENTY-NINTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, May 4, 1977

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Lee Robinson, Pastor, Fort Deposit Methodist Church, Fort Deposit, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—101

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the 28th legislative day and day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the 28th legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the 28th legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, S. J. R. 350, and ordered same returned to the House with a favorable report:

S. J. R. 350. EO ENCOURAGE THE UNIVERSITY OF ALABAMA IN BIRMINGHAM TO CONSIDER FIELDING A MAJOR BASKETBALL TEAM.

On motion of Mr. Gafford, the resolution, S. J. R. 350, was adopted.

Yeas 25; Nays 5.

Yeas:

Messrs.: Armstrong, Biddle, Carter, Falkenburg, Folmar, Gafford, Hilliard, Hopping, Jackson (F), Johnson, Lee, McNees, Martin, Mitchem, Moore (O), Naramore, Roberts, Sparks, Starkey, Tucker, Venable, Waggoner, Weeks, White and Younce.

—25

Nays: Messrs.: Barron, Campbell, Greer, Sasser and Williams.

—5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, S. J. R. 349, and ordered same returned to the House with a favorable report:

S. J. R. 349. NAMING THE NEW LIVESTOCK DISEASE DIAGNOSTIC AND AGRICULTURAL CHEMICAL LABORATORY BUILDING OF THE DEPARTMENT OF AGRICULTURE AND INDUSTRIES THE "GILMER-TURNHAM BUILDING".

On motion of Mr. Mitchem, the resolution, S. J. R. 349, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, H. J. R. 551, and ordered same returned to the House with a favorable report:

H. J. R. 551. TO CREATE AND PROVIDE FOR A CONTINUING INTERIM TAX STRUCTURE COMMITTEE.

MOTION TO INDEFINITELY POSTPONE

Mr. Campbell offered the motion to indefinitely postpone the resolution, H. J. R. 551.

SUBSTITUTE MOTION OFFERED

Mr. Gafford offered the substitute motion to temporarily postpone the resolution, H. J. R. 551.

MOTION TO TABLE LOST

The motion offered by Mr. Campbell to table the substitute motion offered by Mr. Gafford was lost.

Yeas 28; Nays 34.

Yeas:

Messrs.: Albright, Andrews, Barron, Campbell, Cross, Dial, Ford, Greer, Hall, Harrison, Hill, Hilliard, Holley, Hopping, Howard, Jolly, Leonard, Lockett, McNair, Naramore, Pegues, Rich, Riddick, Smith (B), Smith (C), Tucker, Venable and Wyatt.

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Nays:

Mr. Speaker, Armstrong, Biddle, Callahan, Clark, Cooper, Crowe, Drake, Falkenburg, Gafford, Holmes (D), McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Roberts, Robertson, Sandusky, Sasser, Shelton, Sonnier, Starkey, Trammell, Waggoner, Warren, Weeks, White, Williams and Younce.

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SUBSTITUTE MOTION ADOPTED

The question was then on the substitute motion offered by Mr. Gafford to temporarily postpone the resolution, H. J. R. 551, and the substitute motion was adopted.

Yeas 45; Nays 20.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Callahan, Cates, Clark, Cooper, Cross, Crowe, Dial, Falkenburg, Gafford, Glass, Holmes (D), Kelley, Killian, Lutz, McCluskey, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Pegues, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Trammell, Tucker, Waggoner, Warren, Weeks, White, Williams and Younce.

—45

Nays:

Messrs.: Andrews, Barron, Campbell, Carter, Greer, Hall, Harrison, Hill, Holley, Hopping, Howard, Leonard, Lockett, McNair, Naramore, Rich, Riddick, Smith (B), Venable and Wyatt.

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RESOLUTION TEMPORARILY POSTPONED

On substitute motion offered by Mr. Gafford, the resolution, H. J. R. 551, was temporarily postponed.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 566. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business for May 4, 1977, taking precedence over any other business of the House.

Report of Standing Committees

Commendation and Sympathy Resolutions

Introduction of Bills

Uncontested Local Bills

Unfinished Business

S. 105	p. 11	Out-of-state Tuition
S. 19	p. 12	Probate Judges
S. 401	p. 12	Tax Lien
S. 606	p. 25	Asphalt Plant Inspection
S. 464	p. 22	Youth Administration Equalization
S. 62	p. 16	Bond Issue
S. 166	p. 33	Municipal Tort Liability
S. 125	p. 24	Identification Alteration
S. 719	p. 25	Capitol Restoration
S. 403	p. 24	Bus Drivers Liability Insurance
S. 532	p. 32	Billboard Advertising
S. 824	p. 33	Open End Mortgage
S. 308	p. 30	Council of School Administrators
S. 45	p. 28	Student Voter Registration
S. 473	p. 23	Law Enforcement Bill of Rights
S. 144	p. 37	Out-of-state Witness
S. 260	p. 26	Choice of Doctor
S. 182	p. 28	Constitution Revision
S. 193	p. 28	Constitution Revision
S. 222	p. 20	Court of Appeals
S. 234	p. 34	Sales Tax Exemption
S. 167	p. 26	Rural Water Systems
S. 722	p. 29	Legislative Reference Service
S. 497	p. 22	Extension Service
S. 113	p. 26	Restitution Center
S. 427	p. 21	District Attorney's

MOTION TO ADOPT

Mr. Drake offered the motion to adopt the resolution, H. R. 566.

SUBSTITUTE OFFERED

Mr. Gregg offered the following substitute No. 1 to the resolution, H. R. 566:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business for May 4, 1977, taking precedence over any other business of the House.

Report of Standing Committees

Commendation and Sympathy Resolutions

REGULAR SESSION
29th Day

2265

Introduction of Bills

Uncontested Local Bills

Unfinished Business

H. B.	482	p. 28	Education Budget
S.	182	p. 28	To Propose a Constitutional Convention
S.	193	p. 28	Constitutional Amendment
S.	105	p. 11	Out-of-State Tuition
S.	19	p. 12	Probate Judges
S.	401	p. 12	Tax Lien
S.	606	p. 25	Asphalt Plant Inspection
S.	469	p. 1	Youth Administration Equalization
S.	62	p. 16	Bond Issue
S.	166	p. 33	Municipal Tort Liability
S.	125	p. 24	Identification Alteration
S.	719	p. 25	Capitol Restoration
S.	403	p. 24	Bus Drivers Liability Insurance
S.	532	p. 32	Billboard Advertising
S.	824	p. 33	Open End Mortgage
S.	308	p. 30	Council of School Administrators
S.	45	p. 28	Student Voter Registration
S.	473	p. 23	Law Enforcement Bill of Rights
S.	144	p. 37	Out-of-state Witness
S.	260	p. 26	Choice of Doctor
S.	222	p. 20	Court of Appeals
S.	234	p. 34	Sales Tax Exemption
S.	167	p. 26	Rural Water Systems
S.	722	p. 29	Legislative Reference Service
S.	497	p. 22	Extension Service
S.	113	p. 26	Restitution Center
S.	427	p. 21	District Attorney's

SUBSTITUTE TABLED

On motion of Mr. Gafford, the substitute No. 1 offered by Mr. Gregg to the resolution, H. R. 566, was tabled.

Yeas 68; Nays 14.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Callahan, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Harris, Hines, Holmes (D), Hopping, Howard, Jackson (F), Kelley, Kennedy, Killian, Kinsey, Lee, Lutz, McCluskey, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Younce.

—68

Nays:

Messrs.: Albright, Barron, Campbell, Gregg, Hall, Harrison, Hilliard, Holley, Leonard, Lockett, McCulley, McNair, Plaster and Wyatt.

—14

SUBSTITUTE OFFERED

Mr. Gregg offered the following substitute No. 2 to the resolution, H. R. 566:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in order named be made the special and paramount order of business for May 4, 1977, taking precedence over any other business of the House.

Report of Standing Committees

Commendation and Sympathy Resolutions

Introduction of Bills

Uncontested Local Bills

Unfinished Business

H. B. 482	p. 28	Education Budget if Message received from Senate
S. 182	p. 28	To Propose a Constitution Convention
S. 193	p. 28	Constitutional Amendment
S. 105	p. 11	Out-of-State Tuition
S. 19	p. 12	Probate Judges
S. 401	p. 12	Tax Lien
S. 606	p. 25	Asphalt Plant Inspection
S. 469	p. 1	Youth Administration Equalization
S. 62	p. 16	Bond Issue
S. 166	p. 33	Municipal Tort Liability
S. 125	p. 24	Identification Alteration
S. 719	p. 25	Capitol Restoration
S. 403	p. 24	Bus Drivers Liability Insurance
S. 532	p. 32	Billboard Advertising
S. 824	p. 33	Open End Mortgage
S. 308	p. 30	Council of School Administrators
S. 45	p. 28	Student Voter Registration
S. 473	p. 23	Law Enforcement Bill of Rights
S. 144	p. 37	Out-of-state Witness
S. 260	p. 26	Choice of Doctor
S. 222	p. 20	Court of Appeals
S. 234	p. 34	Sales Tax Exemption
S. 167	p. 26	Rural Water Systems
S. 722	p. 29	Legislative Reference Service
S. 497	p. 22	Extension Service
S. 113	p. 26	Restitution Center
S. 427	p. 21	District Attorney's

SUBSTITUTE TABLED

On motion of Mr. Drake, the substitute No. 2 offered by Mr. Gregg to the resolution, H. R. 566, was tabled.

Yeas 62; Nays 12.

Yeas:

Mr. Speaker, Andrews, Armstrong, Biddle, Callahan, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Hill, Hines, Holmes (D), Hopping, Jackson (F), Kelley, Kennedy, Kinsey, Lee, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Merrill, Mitchem, Morris, Naramore, Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Williams and Younce.

REGULAR SESSION
29th Day

2267

Nays:

Messrs.: Albright, Barron, Buskey, Gregg, Hall, Harrison, Hilliard, Howard, Johnson, Leonard, McNair and Wyatt.

—12

SUBSTITUTE OFFERED

Mr. Gregg offered the following substitute No. 3 to the resolution, H. R. 566:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business for May 4, 1977, taking precedence over any other business of the House.

Report of Standing Committees

Commendation and Sympathy Resolutions

Introduction of Bills

Uncontested Local Bills

Unfinished Business

S. 182	p. 28	To Propose a Constitutional Convention
S. 193	p. 28	Constitutional Amendment
S. 105	p. 11	Out-of-State Tuition
S. 19	p. 12	Probate Judges
S. 401	p. 12	Tax Lien
S. 606	p. 25	Asphalt Plant Inspection
S. 469	p. 1	Youth Administration Equalization
S. 62	p. 16	Bond Issue
S. 166	p. 33	Municipal Tort Liability
S. 125	p. 24	Identification Alteration
S. 719	p. 25	Capitol Restoration
S. 403	p. 24	Bus Drivers Liability Insurance
S. 532	p. 32	Billboard Advertising
S. 824	p. 33	Open End Mortgage
S. 308	p. 30	Council of School Administrators
S. 45	p. 28	Student Voter Registration
S. 473	p. 23	Law Enforcement Bill of Rights
S. 144	p. 37	Out-of-state Witness
S. 260	p. 26	Choice of Doctor
S. 222	p. 20	Court of Appeals
S. 234	p. 34	Sales Tax Exemption
S. 167	p. 26	Rural Water Systems
S. 722	p. 29	Legislative Reference Service
S. 497	p. 22	Extension Service
S. 113	p. 26	Restitution Center
S. 427	p. 21	District Attorney's

SUBSTITUTE TABLED

On motion of Mr. Drake, the substitute No. 3 offered by Mr. Gregg to the resolution, H. R. 566, was tabled.

Yeas 65; Nays 20.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Callahan, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Goodwin, Harris, Hines,

Holmes (D), Hopping, Jackson (F), Kelley, Kennedy, Kinsey, Lee, McCluskey, McMillan, McNeas, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Younce.

—65

Nays:

Messrs.: Albright, Barron, Brindley, Gregg, Hall, Harrison, Hilliard, Holley, Howard, Johnson, Leonard, Lutz, McNair, Martin, Quarles, Rich, Smith (B), Taylor, Tucker and Wyatt.

—20

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 918. To create the office of Deputy District Attorney No. 6 of the Sixth Judicial Circuit and provide for the appointment, duties, and compensation of such office.

Also:

H. 989. To create and establish the Yacht Club Association of Alabama; to provide for its organization, powers and duties with respect to member clubs; to provide qualifications for admission of such member clubs to the state association; to provide a State Board of Commodores which shall govern the association and to prescribe their powers and duties; and to provide for the construction of an ocean racing sailing vessel to represent all of the state's yacht clubs, the people of Alabama, and the State of Alabama.

Also:

H. 1289. Relating to all counties having a population of not less than One Hundred Fifteen Thousand (115,000) and not more than One Hundred Fifty Thousand (150,000) according to the 1970 or any subsequent decennial federal census; relating to voter registration; to provide for compensation of the board of registrars; to provide for meetings and times and places of registration by the board; to provide for the attendance by at least one registrar at the courthouse on each regular working day except when the full board is in session; to provide for purging of voter lists; to provide for the publication of the list of registered voters.

Also:

H. 783. To provide that all real estate shall be assessed for ad valorem tax purposes according to its value in actual use and not according to any speculative or potential use in all counties having populations of not less than 56,500 nor more than 59,000 inhabitants according to the 1970 or any subsequent federal decennial census.

Also:

H. 928. Proposing an amendment to further amend Article XI, Section 217, subsection (b), of the Constitution of Alabama 1901 relative to ad valorem taxation; providing for the decrease of the assessment rate of taxation on Class III property, all agricultural, forest and residential property in Houston County.

Also:

H. 923. To apply to every county of the State having a population of 500,000 or more according to the last or any subsequent Federal census; to empower the governing body of any such county to require the officer or department of the county issuing license tags or plates pursuant to Act No. 524 of the Regular Session of the Legislature of 1975 (Ala. Acts, 1975, pp. 1177-1178) to charge and collect a fee, not exceeding One Dollar (\$1.00), to cover the expense of issuing by mail the tabs, disks or other devices said Act No. 524 provides shall constitute evidence of payment of the license fee for the fiscal year indicated on such tab, disk or other device; to provide that such officer or department shall pay into the county treasury any fees collected under the Act; and to repeal all laws, whether general, special or local, in conflict herewith to the extent of any such conflict.

Also:

H. 1248. To provide for the alteration or rearrangement of the boundary lines of the City of Fultondale in Jefferson County, Alabama, so as to include within the corporate limits of said City of Fultondale, the territory in said county now without the corporate limits of any city or town; commonly known as the Belcher Property and to provide that said property shall be a part of the City of Fultondale, Alabama.

Also:

H. 548. Relating to Mobile County, to amend Section 1 of Act No. 87, H. 270 Regular Session 1955, an Act relating to Mobile County and regulating the office of the Judge of Probate of said County (Acts 1955 Vol. 1, page 335) as last amended by an Act approved September 12, 1969, (Acts 1969, Vol. III, page 1988).

Also:

H. 551. An act to supplement the salaries of the District Judges of the Thirteenth Judicial Circuit.

Also:

H. 580. Relating to Elmore County; to provide for a chief deputy sheriff, an assistant chief deputy sheriff and other deputies sheriff of Elmore County, Alabama; and to provide for their compensation, and to repeal conflicting laws.

Also:

H. 590. Relating to counties having populations of not less than 150,000 nor more than 180,000 inhabitants according to the 1970 or any subsequent federal decennial census, to redivide such counties into districts for the purpose of electing the county governing bodies.

Also:

H. 637. Relating to Cullman County; to reorganize the structure of the county commission in said county by providing for the election of the county commission by the county at large and prescribing residency requirements for the commissioners from the districts herein defined.

Also:

H. 648. To amend further Section 3 of Act No. 1945, H. 584, Regular Session 1971 (Acts 1971, p. 3143), as last amended, which provides for and regulates the employment of county engineers so as to provide that the

county engineer in certain counties need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of the county engineer's salary.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 657. Relating to all counties having a population of not less than 56,500 nor more than 59,000 inhabitants according to 1970 or any subsequent federal decennial census; to further regulate the assessment and collection of ad valorem taxes on certain real properties in such counties which have been improved with a new residential structure constructed for re-sale or rental purposes.

Also:

H. 713. To amend Section 10 of Act No. 947, H. 1841 of the 1975 Regular Session of the Legislature (Acts 1975, Vol. III, p. 1978) pertaining to additional unlawful acts in counties having populations of 10,660 or less according to the most recent federal decennial census, in regard to the sale of table wine, so as to make the unlawful acts in said counties conform to the general law of Alabama governing the sale of alcoholic beverages.

Also:

H. 723. Proposing an amendment to the Constitution of Alabama authorizing Mobile County to build and operate a county penal facility and to issue bonds and levy a tax to finance the facility.

Also:

H. 760. To provide an expense allowance for each District Judge of the District Court of Madison County.

Also:

H. 761. To amend Act No. 64, H. 92, 1975 Third Special Session (Acts 1975, p. 291) entitled "An Act Relating to counties having populations of not less than 16,600 nor more than 16,950 according to the most recent federal decennial census, providing expense allowances for the Circuit Court Register in such counties," so as to change the expense allowance to a salary supplement.

Also:

H. 835. To amend Title 3, of Act 2431, H. 2569, 1971 Regular Session (Acts of 1971, p. 3880), as amended, entitled "relating to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers and duties of the commission; to provide for and regulate the pari mutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Acts; and to provide other penalties for the violation of this Act

and for other purposes relative thereto, and to provide for a referendum of the voters of the County on the question of whether the act will become effective in the County," to amend and change the compensation of each member of the Commission.

Also:

H. 894. Providing for a Board of Equalization and Adjustment of each county having a population of not less than 75,000, nor more than 90,000 according to the last or any subsequent federal decennial census, providing for abolishing the existing County Board of Equalization and transferring its duties to the Board of Equalization and Adjustment, further regulating the appointment and removal of the members of the Board, the terms of service, the compensation, the expense allowance of the members of the Board; making further provision in regard to office space, office fixtures and supplies of the Board, and providing for the employment of clerks and other employees of the Board; providing for the severability of the provisions of the Act and for its effective date.

Also:

H. 932. To provide that the clerk of the court collecting solicitor's or district attorney's fees in the first judicial circuit shall place such fees into a Judges' and District Attorney's Fund; to provide that all monies in any solicitor's or district attorney's fund in the circuit shall be paid immediately into the Judges' and District Attorney's Fund; and to authorize certain expenditures from such fund.

Also:

H. 997. To amend further Section 2 of Act No. 47, H. 100, Special Session 1962 (Acts 1962, p. 63), entitled "An Act To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis and providing for the operation of their offices on such basis," so as to authorize additional clerical help for certain officers.

Also:

H. 998. To fix the compensation for bailiffs of courts in the Nineteenth Judicial Circuit and to provide for payment thereof by that county in which such bailiff serves.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 336. REJECTING THE REPORT OF THE STATE JUDICIAL COMPENSATION COMMISSION FOR SALARIES AND EXPENSE ALLOWANCES FOR THE JUDICIARY SUBMITTED FEBRUARY 1, 1977.

McDOWELL LEE,
Secretary.

H. R. 566 RESUMED

AMENDMENT OFFERED

Mr. Gregg offered the following amendment to the resolution, H. R. 566:

To amend H. R. 566

to move H. B. 482 to top of Calendar

and to move S. B. 182 to Second position on Calendar.

AMENDMENT TABLED

On motion of Mr. Drake, the amendment offered by Mr. Gregg to the resolution, H. R. 566, was tabled.

Yeas 61; Nays 26.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Callahan, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Goodwin, Holmes (D), Hopping, Jackson (F), Kelley, Kinsey, Lee, McCluskey, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Reed, Rich, Riddick, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Younce.

—61

Nays:

Messrs.: Albright, Brindley, Buskey, Cross, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Howard, Johnson, Jolly, Kennedy, Leonard, Lutz, McNair, Martin, Moore (W), Quarles, Roberts, Smith (B), Taylor, Tucker and Wyatt.

—26

AMENDMENT OFFERED

Mr. McCulley offered the following amendment to the resolution, H. R. 566:

Amend H. R. 566 to add S. B. 644 between S. B. 824 and S. B. 308.

MOTION TO TABLE LOST

The motion offered by Mr. Drake to table the amendment offered by Mr. McCulley, was lost.

Yeas 25; Nays 48.

Yeas:

Mr. Speaker, Baker, Biddle, Boles, Crowe, Dial, Drake, Edwards, Falkenburg, Glass, Jackson (F), Kelley, Manley, Merrill, Owens, Pegues, Rich, Sandusky, Sasser, Smith (J), Smith (M), Sparks, Venable, Whatley and Younce.

—25

Nays:

Messrs.: Albright, Andrews, Barron, Brindley, Buskey, Carter, Cooper, Ford, Gafford, Gregg, Hall, Harrison, Hilliard, Holley, Holmes (D), Hopping, Johnson, Jolly, Kennedy, Kinsey, Lee, Leonard, Lewis, Lutz, McCulley, McMillan, McNair, Martin, Mitchem, Moore (O), Naramore, Plaster, Quarles, Reed, Roberts, Shelton, Smith (B), Smith (C), Sonnier, Taylor, Trammell, Tucker, Turnham, Warren, Weeks, White, Williams and Wyatt.

—48

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1135. Relating to Elmore County; to provide for the compensation and expense allowance for the county superintendent of education, and to provide for the effective date.

Also:

H. 1137. Relating to Conecuh County; providing further for hospital service for the indigent in such county; authorizing the hospital board certain authority in order to induce physicians to serve on the staff and practice as staff members of the hospital and in the county.

Also:

H. 1139. To amend Act No. 833, H. 1791, Regular Session 1973 (Acts 1973, p. 1329) which act relates to certain compensation and expense allowance provisions for superintendents and members of county boards of education in counties having populations of not less than 14,000 nor more than 15,000 inhabitants according to the 1970 or any subsequent federal decennial census, so as to provide for an expense allowance for members of such boards.

Also:

H. 1140. Relating to all counties having populations of not less than 14,000 nor more than 15,000 inhabitants according to the 1970 or any subsequent federal decennial census; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

H. 1141. Relating to counties having populations of not less than 36,500 nor more than 39,200 according to the 1970 or any subsequent federal decennial census; to allow tax assessment on a year round basis in any such county and the probate judge to make available to the tax assessor any deed recording transaction within 30 days of the recording date.

Also:

H. 1170. To provide for the payment of retirement benefits for retired probate judges of Etowah County, said benefits to be the same as those retirement benefits granted to state circuit court judges as provided Act No. 1163, passed by the Alabama Legislature and approved September 18, 1973, said retirement benefits to such probate judges to be paid from the general fund of Etowah County, and to provide that such probate judge shall forfeit all retirement benefits under the general law of the State if such probate judge elects to come under the provisions of this Act.

Also:

H. 1182. To amend the title and Sections 1 and 2 of Act No. 1188, H. 1488, 1975 Regular Session (Acts of 1975, p. 2319), entitled "An Act To provide that the Shelby County Commission is authorized to provide an additional expense allowance to certain county officers," so as to eliminate the expense allowance of the judge of the inferior court and the

circuit clerk; to provide an allowance for the district court magistrate; to provide that the allowances are mandatory; and to provide that the expense allowance of county commissioner members remains an expense allowance, rather than becoming a salary at the commencement of a new term; and to provide retroactivity to the provisions of this amendment.

Also:

H. 1183. Relating to counties having populations of not less than 56,500 nor more than 59,000 according to the 1970 or any subsequent federal decennial census; to increase the expense allowance of the county coroner.

McDOWELL LEE,
Secretary.

H. R. 566 RESUMED

The question was then on the amendment offered by Mr. McCulley to the resolution, H. R. 566.

SUBSTITUTE AMENDMENT OFFERED

Mr. Sandusky offered the following substitute amendment to the resolution, H. R. 566:

Amend H. R. 566 on the committee on Rules by further adding S. B. 644 to the end of the Special Order Calendar instead of at the top thereof.

SUBSTITUTE AMENDMENT TABLED

On motion of Mr. McCulley, the substitute amendment offered by Mr. Sandusky, was tabled.

Yeas 51; Nays 27.

Yeas:

Messrs.: Albright, Andrews, Barron, Buskey, Carter, Cates, Cooper, Crawford, Cross, Folmar, Ford, Gafford, Greer, Harrison, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Johnson, Jolly, Lewis, Lutz, McCulley, McMillan, McNair, Martin, Mitchem, Moore (O), Morris, Naramore, Plaster, Riddick, Roberts, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Warren, Weeks, White and Wyatt.

—51

Nays:

Messrs.: Baker, Biddle, Boles, Brindley, Clark, Coburn, Crowe, Dial, Drake, Glass, Goodwin, Harris, Jackson (F), Johnstone, Kennedy, Lee, Manley, Merrill, Owens, Pegues, Rich, Sandusky, Sasser, Smith (M), Waggoner, Whatley and Younce.

—27

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1217. Relating to Marshall County; providing that certain county prisoners and state prisoners who are housed in county or city jails of Marshall County may be used on a voluntary basis in the building,

repairing and maintenance of public roads, buildings and other public properties; providing for the commutation of sentence of certain state and county convicts who participate in such public work projects and providing for an appropriation from the county general fund in order to effectuate the provisions of this act.

Also:

H. 1223. To provide for purging the lists of registered voters in Clay County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 1226. To authorize the governing body of Greene County, Alabama, to set an election in said county for the purpose of determining whether or not the said governing body of Greene County may levy an additional privilege or license and excise and sales tax for a period of ten years equaling one percent and paralleling such state taxes as are provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and the Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection thereof; providing that the revenues arising from any levy made by said governing body of said county under authority of this Act shall be made to the Greene County Hospital Board for the operation and maintenance of the Greene County Hospital and Nursing Home in said county; and providing certain exemptions from such tax.

Also:

H. 1227. Relating to Greene County; authorizing the county to transfer the Coleman-Banks House to the Greene County Historical Society or any other historical preservation society in Greene County.

Also:

H. 1233. To amend the title and Sections 1 and 4 of Act No. 969, H. 2064, Regular Session 1973, (Acts 1973, p. 1485), relating to certain county supplementary pay by Dallas County to any circuit judge of the county, so as to provide the same supplementary pay to the district judge of the county.

Also:

H. 1235. Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the 1970 or any subsequent federal decennial census; to provide for the appointment of deputy sheriffs, clerks, jailers and cooks and to fix their salaries.

Also:

H. 1243. To alter, rearrange, and extend the boundary limits and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

Also:

H. 1246. To provide for the appointment of a deputy district attorney for the twenty-first judicial circuit of Alabama; to designate him as a state officer; to prescribe his qualifications, powers and duties and to fix and provide for payment of his compensation.

Also:

H. 1202. Relating to all counties having populations of not less than 16,245 nor more than 16,300 inhabitants according to the 1970 or any subsequent federal decennial census; further regulating expense allowances for all members of the county board of education in such counties; and providing that the payment therefor be made from the public school funds of such counties.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1018. Relating to Butler County; to amend Sections 1 and 3 of Act No. 942, H. 1828, 1975 Regular Session (Acts of 1975, p. 1968) relating to salaries for certain county officers, so as to delete the provisions relating to circuit clerk and to add a provision for expense allowances

Also:

H. 1048. To amend Section 4 of Act No. 356 of the 1973 Session of the Alabama Legislature to allow a former member of the Montgomery County retirement system who becomes reemployed by the County to repay his withdrawn funds and have his previous creditable service restored.

Also:

H. 1069. Relating to counties having populations of not less than 90,000 nor more than 100,000; to authorize the county governing body of the judicial circuit in which such counties are located to furnish to the office of the District Attorney necessary personnel, equipment and supplies; to provide that this act apply retroactively.

Also:

H. 1081. Relating to all counties having populations of not less than 16,600 nor more than 16,950 inhabitants according to the 1970 or any subsequent federal decennial census; allowing the county governing body of any such county to pay certain necessary and reasonable expenses incident to the official business of the judge of probate, including professional dues, registration, meals, tuition and other fees, and travel and lodging while attending professional seminars; providing that such expenses shall be paid from the county funds of such counties; and making the provisions of this act retroactive.

Also:

H. 1084. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; setting the salary of the clerk of the jury commission in such counties, retroactive to March 1, 1976, payable out of the funds of the county treasury.

Also:

H. 1108. Relating to Etowah County, Alabama; levying a privilege license tax upon the sale, use or consumption, distributing of malt or brewed beverages within Etowah County, providing for the collection and

distribution of the proceeds of said tax; providing for the administration of the Act; providing penalties for violations of the Act; repealing conflicting laws, including Act No. 78, Fourth Special Session 1975; providing that this Act be severable; and providing for the effective date hereof.

Also:

H. 1109. Relating to counties with populations of not less than 90,000 nor more than 100,000; relating to county taxes on malt or brewed beverages; to provide penalties for violation of any local law levying such taxes within any county to which this Act applies; to provide that no municipality within any such county shall be empowered to levy or collect a tax on malt or brewed beverages in addition to the county-wide tax; and to repeal conflicting laws.

Also:

H. 1111. Relating to all counties having populations of not less than 60,000 nor more than 65,000 according to the 1970 or any subsequent federal decennial census; to provide for the holding of special advisory referendums to ascertain the sentiment of voters on public issues affecting any such county.

Also:

H. 1126. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the 1970 or any subsequent federal decennial census; to authorize the creation of the office of deputy coroner and prescribe the duties and compensation of said office.

McDOWELL LEE,
Secretary.

H. R. 566 RESUMED

AMENDMENT ADOPTED

The question was again on the amendment offered by Mr. McCulley to the resolution, H. R. 566, and the amendment was adopted.

Yeas 61; Nays 17.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Brindley, Buskey, Carter, Cates, Clark, Cooper, Crawford, Cross, Drake, Folmar, Ford, Greer, Harris, Harrison, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Howard, Johnson, Lewis, Lutz, McCulley, McMillan, McNair, Martin, Mitchem, Moore (O), Moore (W), Naramore, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—61

Nays:

Messrs.: Coburn, Crowe, Dial, Glass, Goodwin, Jackson (F), Johnstone, Kelley, Kennedy, Lee, Manley, Merrill, Owens, Pegues, Sandusky, Sasser and Younce.

—17

AMENDMENT OFFERED

Mr. Whatley offered the following amendment to the resolution, H. R. 566 as amended:

Amend H. R. 566, by inserting after the words "Unfinished Business" the following language:

: which shall be deemed to include the continuation of the game of "baseball" of last Thursday, i. e. the procedure used on the 27th legislative day whereby members who had signed a list requesting an opportunity to make motions to bring a limited number of bills up for consideration out of order, were permitted to do so. Those members whose names appear on the list used on said 27th legislative day who were not then afforded the opportunity to submit their motions, shall be entitled to do so, in the order in which their names appear on the list.

AMENDMENT TABLED

On motion of Mr. Drake, the amendment offered by Mr. Whatley to the resolution, H. R. 566 as amended, was tabled.

Yeas 61; Nays 26.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Brindley, Buskey, Callahan, Carothers, Clark, Coburn, Cooper, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Harris, Hill, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Kennedy, Kinsey, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (J), Smith (M), Sparks, Starkey, Trammell, Venable, Waggoner, Weeks, White and Williams.

—61

Nays:

Messrs.: Albright, Barron, Campbell, Crawford, Glass, Gregg, Hall, Hilliard, Hines, Holley, Holmes (A), Johnson, Lee, Leonard, Lewis, Lockett, McNair, Quarles, Shelton, Smith (B), Smith (C), Sonnier, Tucker, Turnham, Whatley and Wyatt.

—26

AMENDMENT OFFERED

Mr. Harrison offered the following amendment to the resolution, H. R. 566 as amended:

Amend H. R. 566 by deleting S. 473, p. 23

AMENDMENT TABLED

On motion of Mr. Drake, the amendment offered by Mr. Harrison to the resolution, H. R. 566, was tabled.

Yeas 65; Nays 14.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Biddle, Callahan, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Harris, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Kinsey, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Turnham, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—65

Nays:

Messrs.: Barron, Buskey, Hall, Harrison, Hilliard, Holley, Holmes (A), Johnson, Jolly, Kennedy, Lewis, McNair, Reed and Tucker.

—14

RESOLUTION ADOPTED

The resolution, H. R. 566 as thus amended, was adopted.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Edwards, Kinsey, Lockett, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce:

H. J. R. 567. NAMING CAMDEN STATE PARK THE "ROLAND COOPER STATE PARK".

WHEREAS, our beloved former colleague, Roland Cooper, died April 30, 1977, at the age of 63; and

WHEREAS, Roland Cooper was elected to five terms in the Senate, during which time he served as chairman of numerous important committees and three times was named "Most Effective Senator" by members of the press corps, and radio and television reporters; he resigned his seat during his fifth term to accept an appointment as Wilcox County Probate Judge and, at the time of his death, was a prominent farmer and businessman in his hometown of Camden; and

WHEREAS, Judge Cooper was a highly respected citizen of his community, county and state; he was a man of commendable actions and deeds who gave generously of his time and talent to contribute invaluable to the civic, educational and governmental affairs of our state; and

WHEREAS, our friend Roland Cooper was the one person most instrumental in providing for the planning, development and construction of Camden State Park; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in memory of our friend whom we long admired and respected, this body hereby names and designates Camden State Park as "The Roland Cooper State Park."

BE IT FURTHER RESOLVED, That the proper authorities are hereby authorized and directed to erect and maintain appropriate signs and markers so designating said state park.

RESOLVED FURTHER, That copies of this resolution be sent to Senator Cooper's wife and children: Mrs. Roland Cooper, William Roland Cooper, Mrs. George Mathews and Mrs. Richard Shattuck as a memento of this commemorative designation.

On motion of Mr. Edwards, the rules were suspended and the resolution, H. J. R. 567, was adopted.

Also:

By Messrs. Callahan, Sonnier, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce:

H. J. R. 568. CONGRATULATING REPRESENTATIVE GARY COOPER, COMMANDER OF THE 4th RESERVE BATTALION, 14th MARINES, 4th MARINE DIVISION.

WHEREAS, the Alabama Legislature notes, with pride, the announcement that Representative Gary Cooper of Mobile has been selected to take command of the 4th Reserve Battalion, 14th Marines, 4th Marine Division; and

WHEREAS, our esteemed colleague, representing the 103rd House District, is a graduate of the University of Notre Dame and a Mobile based insurance company executive who also actively participates in numerous Red Cross and YMCA projects in Mobile; he is a decorated Vietnam War Veteran who, as a United States Marine Corps Major, received two Purple Hearts and the Bronze Star while serving with valor, in combat, in Vietnam; and

WHEREAS, our friend Gary Cooper is a lieutenant colonel in the Marine Reserve and previously has commanded a Marine rifle company in combat and, after that, a Marine Reserve Unit; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Representative Gary Cooper on his latest command, that of a United States Marine Corps Reserve Battalion, and direct that a copy of this resolution be presented to him as a token of our profound esteem.

On motion of Mr. Callahan, the rules were suspended and the resolution, H. J. R. 568, was adopted.

Also:

By Mr. Sparks:

H. J. R. 569. COMMENDING MRS. LOYCE D. WHITSON, OUTSTANDING SCIENCE TEACHER OF ALABAMA.

WHEREAS, the Legislature of Alabama has noted, with pleasure, that Mrs. Loyce D. Whitson was honored by being selected Outstanding Science Teacher of Alabama during the joint convention of the Senior Alabama Academy of Science and Alabama Junior Academy at the University of Alabama, April 7-9, 1977; recipients of this prestigious award are named by a panel of Senior Academy Members on the basis of merit of contributions to the science teaching field and work with the Junior Academy; and

WHEREAS, Mrs. Whitson, who is on the faculty of Winston County High School, is a member of the Alabama, National and Winston County Education Associations, the National Science Teachers Association, National Biology Teachers Associations, from which she received the Outstanding Teacher Award in 1974, serves as a review critic for the American Biology Teachers Magazine and, recently, chaired a task force committee for science programs for Teacher Educators on the direction of the State Board of Education; she is a member, also, and has served in offices of numerous other scientific and professional organizations; and

WHEREAS, Mrs. Whitson's involvement in the civic, charitable and religious areas of her community extends to include chairmanship of the Winston County Red Cross Blood Program, the Double Springs Church of Christ where she is Junior Sunday School Teacher, and many offices in other civic and educational organizations in the past; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do highly commend Mrs. Loyce D. Whitson of Double Springs, Alabama, for outstanding service to her community, and in her field; we further congratulate her as the recipient of the Outstanding Science Teacher of Alabama Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Principal Jack Herring for appropriate display at Winston County High School, and a copy to Mrs. Whitson and her husband, J. H. Whitson, that they may know of our deep appreciation and esteem.

On motion of Mrs. Sparks, the rules were suspended and the resolution, H. J. R. 569, was adopted.

Also:

By Mr. Johnson:

H. R. 570. CALLING UPON THE HOUSE TO BE RESPONSIBLE IN ITS BUDGET DELIBERATIONS.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That no bills, except those bills that have originated in the House, will be considered by the House of Representatives if they appropriate funds in excess of \$1,000,000 from the Special Education Trust Fund or General Fund until both budgets have been passed and forwarded to the Governor for his consideration.

MOTION TO SUSPEND RULES AND ADOPT

Mr. Johnson offered the motion to suspend the rules and adopt the resolution, H. R. 570.

DIVISION OF THE QUESTION

Mr. Callahan called for the Division of the Question, and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mr. Johnson to suspend the rules in order to bring up for immediate consideration the resolution, H. R. 570, and the motion was lost.

Yeas 33; Nays 39.

Yeas:

Messrs.: Albright, Barron, Buskey, Coburn, Folmar, Gafford, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Hopping, Howard, Johnson,

Jolly, Leonard, Lewis, McNair, McNees, Martin, Naramore, Plaster, Quarles, Riddick, Sasser, Shelton, Smith (B), Starkey, Tucker, Turnham and Wyatt.

—33

Nays:

Mr. Speaker, Armstrong, Baker, Biddle, Brindley, Callahan, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Hines, Holmes (A), Holmes (D), Jackson (F), Kelley, Kinsey, McCluskey, McMillan, Manley, Merrill, Mitchem, Moore (O), Pegues, Roberts, Sandusky, Smith (M), Sonnier, Trammell, Venable, Waggoner, Warren, Weeks, White and Younce.

—39

The resolution, H. R. 570, was read and referred to the standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1301. Relating to all counties having populations of not less than 10,900 nor more than 11,500 inhabitants according to 1970 or any subsequent federal decennial census; to provide for the compensation and expenses of the members of the boards of education in such counties and to prescribe meeting requirements for such boards.

Also:

H. 1305. Relating to all counties having one of their borders on the Tennessee River and having a population of not less than 27,000 nor more than 27,900 inhabitants according to the 1970 or any subsequent federal decennial census, to create the Tennessee Valley Publicity and Improvement Association in said counties and to designate their powers, duties and functions.

Also:

H. 1312. To alter, rearrange and extend the boundary lines and corporate limits of any city in this state having a population of not less than 5,165 nor more than 5,245 according to the 1970 or any subsequent federal decennial census.

Also:

H. 707. To amend further Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to delete Sumter County from provisions of this Act exempting Marengo and Sumter Counties from certain provisions of the Act and granting the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Also:

H. 712. To amend Section 10 of Act No. 1054, H. 2173 of the 1973 Regular Session of the Legislature (Acts 1973, Vol. III, p. 1693) pertaining to additional unlawful acts in counties having populations of not less than 115,000 nor more than 130,000 according to the 1970 or any subsequent federal decennial census, in regard to the sale of table wine, so as to make the unlawful acts in said counties conform to the general law of Alabama governing the sale of alcoholic beverages.

Also:

H. 728. To provide for the night hunting and taking of racoons and opossums with the use of a light and/or shotgun using shot no larger than number eight, or a 22-caliber rimfire rifle using 22-caliber-short ammunition in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the 1970 or any subsequent federal decennial census.

Also:

H. 916. Relating to all counties having a population of not less than 56,500 nor more than 59,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for members of the county commission.

Also:

H. 968. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 13,200 nor more than 13,400.

Also:

H. 969. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Also:

H. 1103. Relating to all cities having a population of not less than 60,000 nor more than 120,000 inhabitants according to the 1970 or any subsequent federal decennial census; allowing the city governing body of such counties to continue paying the salary of certain employees injured in special circumstances; allowing such employees to continue accruing benefits; and making the provisions of this act retroactive to January 1, 1977.

Also:

H. 1127. Relating to counties having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census, to authorize the jury commission to set the salary of its employees.

Also:

H. 1142. To authorize the establishment of branch banks in Pickens County.

Also:

H. 1230. Relating to Henry County; prescribing the manner of filling vacancies in the office of district judge; providing that appoint-

ments to fill vacancies may be made without regard to the appointees' previous residence.

Also:

H. 1187. Relating to Dekalb County; to authorize the Dekalb County governing body and municipal governing bodies within Dekalb County to regulate the use of explosives for surface mining activities within their respective police jurisdictions.

Also:

H. 1288. To amend Act No. 1205, S. 400, Section 4-106 (g) (2) (A), Regular Session 1975 (Acts of Alabama 1975, p. 2397); now appearing in Title 13A, Section 4-106 (g) (2) (A), Code of Alabama (1940) (Recompiled 1958); now also appearing in Title 12, Section 12-17-251 (c) (1), Code of Alabama (1940) (Recompiled 1977) relating to District Court Magistrates and their powers so as to amend said Act with respect to Tuscaloosa County so as to further provide for the issuance of arrest warrants and search warrants, by magistrates who are other than licensed practicing attorneys.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1247. Relating to Cleburne County; to provide for the salaries of the members of the county commission and the sheriff of said county.

Also:

H. 1252. To amend the City of Dothan Pension and Retirement System established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Alabama Legislature, approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature, approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature, approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature, approved July 12, 1971; Act No. 78, Regular Session of the Alabama Legislature, approved July 25, 1975.

Also:

H. 1267. To amend Section 10 of Act No. 445, H. 993 of the 1976 Regular Session of the Legislature (Acts 1976, Vol. I, p. 545) pertaining to additional unlawful acts in regard to the sale of table wine in Hale County, so as to make the unlawful acts in Hale County conform to the general law of Alabama governing the sale of alcoholic beverages.

Also:

H. 1271. Relating to Marengo County; fixing the fee for the issuance of a pistol permit by the sheriff; providing for the deposit of such fees in a sheriff's fund; and providing for the distribution and use of such fees.

Also:

H. 1272. Relating to Marengo County; to provide for the total rehabilitation of certain persons, both male and female, convicted of any

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type crime and sentenced to a term of confinement in the Marengo County Jail, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this act; to provide further for the carrying out of the provisions of this act and to repeal all laws or parts of laws which conflict with this act and to expressly repeal Act No. 480, H. 1459, Regular Session 1975 (Acts of 1975, Vol. II, p. 1103).

Also:

H. 1273. To alter and re-arrange the boundary lines of the City of Demopolis, Marengo County, Alabama, so as to include within the corporate limits of said City, in addition to the present territory included within the corporate limits, certain other territory.

Also:

H. 1277. Relating to counties having a population of not less than 33,550 nor more than 34,000 residents according to the 1970 or any subsequent federal decennial census, to confer discretionary authority upon the governing body of such counties to appropriate from the general funds of the county certain sums of money for the payment of certain equitable and moral claims against such counties.

Also:

H. 1285. To amend Act No. 133, H. 86, First Special Session 1971 (Acts 1971, p. 214), as amended, which act provides for a clerk for the probate judge in counties having populations of not less than 12,700 nor more than 13,100 inhabitants according to the 1970 or any subsequent federal decennial census, so as to provide further for the salaries of such clerks.

Also:

H. 1293. Relating to Lawrence County; to alter, rearrange and extend the boundary lines and corporate limits of the city of Moulton.

Also:

H. 1297. Relating to Lauderdale County; amending Section 2 of Act No. 791, H. 923 of the 1969 Regular Session (Acts 1969, Vol. II, p. 1421), which act pertains to the office of the sheriff, his deputies and assistants, so as to increase the deputy uniform allowance.

Also:

H. 1298. Relating to counties having populations of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census, to provide that the county governing body of such county shall be able to pay the cost of making any county employee in any county office that the governing body considers advantageous notaries public for the State at large.

Also:

H. 1299. To expressly repeal Act No. 818, 1975 Regular Session (Acts of 1975, P. 1644) and Act No. 327, 1976 Regular Session (Acts of 1976, P. 360 & 361). To further provide that all counties of not less than 22,000 population nor more than 22,500 population according to the most recent federal census, fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees, providing for the deposit of the funds from the pistol permits and for the use of such funds.

Also:

H. 1300. Relating to all counties having populations of not less than 115,000 nor more than 150,000 according to the 1970 or any subsequent federal decennial census; to provide that the members of the board of registrars shall be paid \$20.00 per day for each day they work.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1296. Relating to Dale County; to set the salaries and mode of payment of the probate judge, tax assessor and tax collector; to provide for the compensation, and method of appointment of their employees; and to repeal conflicting laws.

Also:

H. 1302. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Taylor, in Houston County.

Also:

H. 1304. To regulate further the compensation of the judges of the 12th judicial circuit; providing for a supplement to the salary of such judges payable by the counties composing the circuit.

Also:

H. 1316. To place the position of Director/Coordinator of the County Civil Defense Authority in all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census, under the Personnel Board, to provide exemptions and to establish the minimum range number to be assigned to the Director/Coordinator.

Also:

H. 1317. To further regulate the compensation of the sheriff of Marengo County and to repeal all laws or parts of laws which conflict with this act, expressly repealing Act No. 114, H. 5, Third Special Session 1975 (Acts of 1975, Vol. I, p. 343).

Also:

H. 1318. Relating to Hale County, to amend Act No. 61, H. 209, Regular Session 1953 (Acts 1953, p. 89), relative to establishing the county governing body for Hale County; so as to provide further for the regular meetings of such body, and providing certain public notice requirements prior to such meetings.

Also:

H. 1321. Relating to all counties having a population of not less than 20,500 nor more than 21,500 according to the 1970 or any subsequent federal decennial census; to allow the county governing body and the governing body of each municipality in the county to contribute public funds to a volunteer rescue squad.

Also:

H. 1322. Relating to all counties having populations of 10,660 or less according to the 1970 or any subsequent federal decennial census; providing for an additional clerk hire allowance for the office of judge of probate.

Also:

H. 1323. Relating to all counties having populations of 10,660 or less inhabitants according to the 1970 or any subsequent federal decennial census; to provide for an additional clerk-hire allowance for the tax assessor in any such county.

Also:

H. 1324. To alter, rearrange, and extend the City Limits and Corporate Limits of the Municipality of Eufaula, in Barbour County, Alabama.

Also:

H. 1333. To provide that the investigators of the district attorney of the thirtieth Judicial Circuit shall have arrest powers in Blount County.

Also:

H. 1335. Relating to Perry County; to provide for the compensation of circuit court bailiffs in such county.

Also:

H. 1336. To amend further Section 1 of Act No. 348, H. 868, Regular Session (Acts 1969, p. 720), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama," so as to increase the amount of said allowance.

Also:

H. 1337. To amend further Section 1 of Act No. 349, H. 869, 1969 Regular Session (Acts 1969, p. 721), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama," so as to increase the amount of said allowance.

Also:

H. 1338. Relating to Perry County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the disposition and use of such fee.

Also:

H. 1340. Relating to counties having populations of not less than 90,000 nor more than 100,000 according to the 1970 or any subsequent federal decennial census; to provide a secretary for circuit judges to be appointed by the presiding judge at a salary not to exceed \$10,000 to be set by the presiding judge.

Also:

H. 1344. Relating to counties having populations of not less than 50,000 nor more than 52,500; to provide for additional expense allowances for certain county officers.

Also:

H. 1352. Relating to Macon County; to authorize the county governing body to pay an additional expense allowance to the circuit clerk in Macon County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1358. Relating to the municipality of Town of Lakeview, in DeKalb County, to alter, re-arrange and extend the boundaries of the Town of Lakeview.

Also:

H. 1359. To levy a 1¼ mil ad valorem tax on all real and personal property in Mobile County, to provide that the proceeds of said tax shall be used to increase the salaries of all municipal and county law enforcement officers within Mobile County, and to provide for a procedure for the distribution of these funds.

Also:

H. 1360. To propose an amendment to the Constitution of Alabama to authorize the legislature to provide for the levy and collection of a 1¼ mil ad valorem tax in Mobile County the proceeds of which shall be used to increase the salaries of municipal and county law enforcement officers within Mobile County.

Also:

H. 1361. To extend, alter, rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Also:

H. 1320. To promote the maintenance of Talladega County's natural beauty, by eliminating unsightly and unhealthy litter; to provide for the dissemination in Talladega County of information pertaining to laws relative to littering and penalties therefor, and of pleas to the public to heed such laws and to help to eliminate litter in such county; and to provide that certain identifiable litter constitutes prima facie evidence of littering by the person with whom it can be identified.

McDOWELL LEE,
Secretary.

H. J. R. 551 AGAIN TAKEN UP

The resolution, H. J. R. 551 which previously was temporarily postponed, was again taken up.

SUBSTITUTE OFFERED

Mr. Gafford offered the following substitute to the resolution, H. J. R. 551:

TO CREATE AND PROVIDE FOR A CONTINUING INTERIM TAX
STRUCTURE COMMITTEE:

WHEREAS, there is great need for a continuing and on-going study of the various and diverse taxes levied by the State of Alabama and the revenues they produce; and

WHEREAS, such a continuous study is absolutely essential to study, sift, digest and disseminate this vital information to the members of the Alabama Legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a tax structure committee which shall be a continuous and on-going interim committee of the Alabama Legislature. Said committee shall meet during the interim between regular and special sessions and at such times during the sessions as are deemed necessary to conduct a careful investigation and study of the financial condition of the State, the needs for tax revenues by the various agencies and programs of the State and the revenues produced by the many and varied taxes levied by the State of Alabama. The committee shall report its findings to the Alabama Legislature in both oral and written reports from time to time as they deem wise and necessary.

The committee shall be composed of four members of the House and three members of the Senate to be chosen by the presiding officer of their respective houses and the chairman of the Senate standing committee on finance and taxation and chairman of the House standing committee on ways and means who shall serve on the committee ex officio. The committee shall hold an organizational meeting and shall establish its rules for procedure and conduct and shall choose its chairman and vice chairman.

The chairman of the committee, or in his absence the vice chairman, shall set the schedule and program for committee work. He shall fix the days and hours of meetings and of conducting hearings and examining witnesses who appear before the committee. He may appoint subcommittees and invest them with such authority as it is deemed necessary to conduct the subcommittee's business and expedite its work. The Secretary of the Senate and the Clerk of the House shall furnish clerical assistance and staff as may be required by the chairman of the committee.

The members of the committee shall be paid the same compensation, per diem and expenses as they receive while in legislative session on those days when they meet or when they attend to the business of the committee. Each committee member shall receive mileage expenses for the actual mileage traveled on the business of the committee. The payment of all compensation and expenses under this resolution shall be paid from funds appropriated to the use of the Legislature; provided, however, that such expenses shall not exceed \$15,000.00 for each fiscal year.

MOTION TO TABLE LOST

The motion offered by Mr. Campbell to table the substitute offered by Mr. Gafford to the resolution, H. J. R. 551, was lost.

Yeas 36; Nays 41.

Yeas:

Messrs.: Andrews, Barron, Brindley, Campbell, Crawford, Cross, Dial, Folmar, Ford, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Hop-

ping, Howard, Johnstone, Killian, Leonard, Lewis, Lockett, Lutz, McNair, Naramore, Plaster, Quarles, Rich, Riddick, Smith (B), Smith (C), Taylor, Tucker, Venable and Whatley.

—36

Nays:

Mr. Speaker, Armstrong, Baker, Biddle, Callahan, Carothers, Cates, Clark, Coburn, Cooper, Crowe, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Hines, Holmes (A), Holmes (D), Johnson, McCluskey, McMillan, McNees, Martin, Moore (O), Morris, Owens, Pegues, Roberts, Sandusky, Sasser, Shelton, Smith (M), Sonnier, Starkey, Waggoner, Warren, Weeks, White and Williams.

—41

SUBSTITUTE ADOPTED

The question was then on the adoption of the substitute offered by Mr. Gafford to the resolution, H. J. R. 551, and the substitute was adopted.

Yeas 49; Nays 37.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Brindley, Callahan, Carothers, Cates, Clark, Coburn, Cooper, Crowe, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Harris, Hines, Holmes (A), Holmes (D), Johnstone, Killian, McCluskey, McCulley, McMillan, McNees, Moore (O), Morris, Owens, Pegues, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (C), Smith (M), Sonnier, Starkey, Trammell, Waggoner, Warren, Weeks, White, Williams and Younce.

—49

Nays:

Messrs.: Andrews, Barron, Campbell, Carter, Crawford, Cross, Dial, Ford, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Hopping, Howard, Johnson, Jolly, Kennedy, Leonard, Lewis, Lockett, Lutz, McNair, Moore (W), Naramore, Plaster, Quarles, Rich, Riddick, Smith (B), Taylor, Tucker, Venable, Whatley and Wyatt.

—37

The resolution, H. J. R. 551 as thus amended, was lost.

Yeas 41; Nays 43.

Yeas:

Mr. Speaker, Armstrong, Biddle, Callahan, Carothers, Cates, Clark, Coburn, Cooper, Crowe, Edwards, Falkenburg, Gafford, Glass, Goodwin, Hines, Holmes (A), Holmes (D), Kinsey, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Moore (O), Morris, Owens, Reed, Sasser, Shelton, Smith (M), Sonnier, Starkey, Trammell, Waggoner, Warren, Weeks, White, Williams and Younce.

—41

Nays:

Messrs.: Andrews, Barron, Boles, Brindley, Campbell, Carter, Crawford, Cross, Dial, Folmar, Ford, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Hopping, Howard, Johnstone, Jolly, Kennedy, Killian, Leonard, Lewis, Lockett, Lutz, McNair, Naramore, Plaster, Quarles, Rich, Riddick, Roberts, Smith (B), Smith (C), Sparks, Taylor, Tucker, Venable, Whatley and Wyatt.

—43

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 657. Relating to all counties having a population of not less than 56,500 nor more than 59,000 inhabitants according to 1970 or any subsequent federal decennial census; to further regulate the assessment and collection of ad valorem taxes on certain real properties in such counties which have been improved with a new residential structure constructed for re-sale or rental purposes.

Also:

H. 713. To amend Section 10 of Act No. 947, H. 1841 of the 1975 Regular Session of the Legislature (Acts 1975, Vol. III, p. 1978) pertaining to additional unlawful acts in counties having populations of 10,660 or less according to the most recent federal decennial census, in regard to the sale of table wine, so as to make the unlawful acts in said counties conform to the general law of Alabama governing the sale of alcoholic beverages.

Also:

H. 760. To provide an expense allowance for each District Judge of the District Court of Madison County.

Also:

H. 761. To amend Act No. 64, H. 92, 1975 Third Special Session (Acts 1975, p. 291) entitled "An Act Relating to counties having populations of not less than 16,600 nor more than 16,950 according to the most recent federal decennial census, providing expense allowances for the Circuit Court Register in such counties," so as to change the expense allowance to a salary supplement.

Also:

H. 835. To amend Title 3, of Act 2431, H. 2569, 1971 Regular Session (Acts of 1971, p. 3880), as amended, entitled "relating to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers and duties of the commission; to provide for and regulate the pari mutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Acts; and to provide other penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the County on the question of whether the act will become effective in the County," to amend and change the compensation of each member of the Commission.

Also:

H. 894. Providing for a Board of Equalization and Adjustment of each county having a population of not less than 75,000, nor more than 90,000 according to the last or any subsequent federal decennial census, providing for abolishing the existing County Board of Equalization and transferring its duties to the Board of Equalization and Adjustment,

further regulating the appointment and removal of the members of the Board, the terms of service, the compensation, the expense allowance of the members of the Board; making further provision in regard to office space, office fixtures and supplies of the Board, and providing for the employment of clerks and other employees of the Board; providing for the severability of the provisions of the Act and for its effective date.

Also:

H. 932. To provide that the clerk of the court collecting solicitor's or district attorney's fees in the first judicial circuit shall place such fees into a Judges' and District Attorney's Fund; to provide that all monies in any solicitor's or district attorney's fund in the circuit shall be paid immediately into the Judges' and District Attorney's Fund; and to authorize certain expenditures from such fund.

Also:

H. 997. To amend further Section 2 of Act No. 47, H. 100, Special Session 1962 (Acts 1962, p. 63), entitled "An Act To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis and providing for the operation of their offices on such basis," so as to authorize additional clerical help for certain officers.

Also:

H. 998. To fix the compensation for bailiffs of courts in the Nineteenth Judicial Circuit and to provide for payment thereof by that county in which such bailiff serves.

Also:

H. 918. To create the office of Deputy District Attorney No. 6 of the Sixth Judicial Circuit and provide for the appointment, duties, and compensation of such office.

Also:

H. 989. To create and establish the Yacht Club Association of Alabama; to provide for its organization, powers and duties with respect to member clubs; to provide qualifications for admission of such member clubs to the state association; to provide a State Board of Commodores which shall govern the association and to prescribe their powers and duties; and to provide for the construction of an ocean racing sailing vessel to represent all of the state's yacht clubs, the people of Alabama, and the State of Alabama.

Also:

H. 723. Proposing an amendment to the Constitution of Alabama authorizing Mobile County to build and operate a county penal facility and to issue bonds and levy a tax to finance the facility.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1289. Relating to all counties having a population of not less than One Hundred Fifteen Thousand (115,000) and not more than One Hundred Fifty Thousand (150,000) according to the 1970 or any subsequent decennial federal census; relating to voter registration; to provide for compensation of the board of registrars; to provide for meetings and times and places of registration by the board; to provide for the attendance by at least one registrar at the courthouse on each regular working day except when the full board is in session; to provide for purging of voter lists; to provide for the publication of the list of registered voters.

Also:

H. 783. To provide that all real estate shall be assessed for ad valorem tax purposes according to its value in actual use and not according to any speculative or potential use in all counties having populations of not less than 56,500 nor more than 59,000 inhabitants according to the 1970 or any subsequent federal decennial census.

Also:

H. 923. To apply to every county of the State having a population of 500,000 or more according to the last or any subsequent Federal census; to empower the governing body of any such county to require the officer or department of the county issuing license tags or plates pursuant to Act No. 524 of the Regular Session of the Legislature of 1975 (Ala. Acts, 1975, pp. 1177-1178) to charge and collect a fee, not exceeding One Dollar (\$1.00), to cover the expense of issuing by mail the tabs, disks or other devices said Act No. 524 provides shall constitute evidence of payment of the license fee for the fiscal year indicated on such tab, disk or other device; to provide that such officer or department shall pay into the county treasury any fees collected under the Act; and to repeal all laws, whether general, special or local, in conflict herewith to the extent of any such conflict.

Also:

H. 1248. To provide for the alteration or rearrangement of the boundary lines of the City of Fultondale in Jefferson County, Alabama, so as to include within the corporate limits of said City of Fultondale, the territory in said county now without the corporate limits of any city or town; commonly known as the Belcher Property and to provide that said property shall be a part of the City of Fultondale, Alabama.

Also:

H. 548. Relating to Mobile County, to amend Section 1 of Act No. 87, H. 270 Regular Session 1955, an Act relating to Mobile County and regulating the office of the Judge of Probate of said County (Acts 1955 Vol. 1, page 335) as last amended by an Act approved September 12, 1969, (Acts 1969, Vol. III, page 1988).

Also:

H. 580. Relating to Elmore County; to provide for a chief deputy sheriff, an assistant chief deputy sheriff and other deputies sheriff of Elmore County, Alabama; and to provide for their compensation, and to repeal conflicting laws.

Also:

H. 551. An act to supplement the salaries of the District Judges of the Thirteenth Judicial Circuit.

Also:

H. 590. Relating to counties having populations of not less than 150,000 nor more than 180,000 inhabitants according to the 1970 or any subsequent federal decennial census, to redivide such counties into districts for the purpose of electing the county governing bodies.

Also:

H. 637. Relating to Cullman County; to reorganize the structure of the county commission in said county by providing for the election of the county commission by the county at large and prescribing residency requirements for the commissioners from the districts herein defined.

Also:

H. 648. To amend further Section 3 of Act No. 1945, H. 584, Regular Session 1971 (Acts 1971, p. 3143), as last amended, which provides for and regulates the employment of county engineers so as to provide that the county engineer in certain counties need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of the county engineer's salary.

Also:

H. 928. Proposing an amendment to further amend Article VI, Section 217, subsection (b), of the Constitution of Alabama 1901 relative to ad valorem taxation; providing for the decrease of the assessment rate of taxation on Class III property, all agricultural, forest and residential property in Houston County.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 199. To provide that such funds as are necessary to have the commentary prepared by the Alabama Law Institute printed, as editor's notes or otherwise, to the act that S. B. 33 of the 1977 Regular Session will become, when said act is codified or published in code form, be appropriated from the general funds in the state treasury.

S. 295. To amend Section 2 of Act No. 474, H. 202, of the 1961 Regular Session of the Legislature of Alabama entitled "An Act providing for the relocation of utility facilities when necessitated by

Federal-aid highway system projects; providing for the payment of the costs of such relocations by the State as highway construction costs upon Federal participation and Federal funds being actually collected by the State; prescribing the authority of the State Highway Director in regard thereto; providing for the method of paying or reimbursing said utilities; and repealing all conflicting laws."

S. 627. Providing for the establishment of a family court division of the circuit court of the seventh judicial circuit; prescribing the jurisdiction of such court; providing for the selection, appointment, qualifications, tenure, and compensation of its officers, and administrative and clerical personnel and providing for the transfer of cases from all other courts in such circuit having jurisdiction of juveniles and of domestic relations cases.

Mr. Owens, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 336. To provide that persons convicted three times for certain violent criminal acts shall be imprisoned for natural life without benefit of parole, probation, suspension of sentence, or credit for good behavior; to provide that the provisions of this act shall apply exclusively where the third such offense is also punishable under other provisions of law; and providing a procedure whereby such offenders shall be sentenced.

Mr. Falkenburg, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 394. Relating to the appointment of a curator of the property of persons residing in this state who shall become physically incapacitated, feeble-minded or epileptic, or so mentally or physically defective by reason of age, sickness, the use of drugs, excessive use of alcohol or other causes, and authorizing such curator to take charge of, manage and conserve the property of such person and relating to the effect of the appointment of a curator as to any such person.

Mr. Falkenburg, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 172. (With Amendment): Relating to public health; restricting smoking in certain places and areas and prescribing penalties for violation of this act.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 515. Relating to the 9th judicial circuit; to provide a salary increase for the secretaries of the circuit judges; and to make the provisions of this act retroactive to January 1, 1977.

S. 759. Relating to all counties having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent

federal decennial census; to abolish all supplements and expense allowances for certain county officials and to set the salaries of such officials.

S. 761. Relating to all counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the 1970 or any subsequent federal decennial census; providing further for the costs and charges in criminal cases in any court of such county.

S. 767. Relating to all counties having populations of not less than 23,900 nor more than 24,450 inhabitants according to the 1970 or any subsequent federal decennial census; empowering the governing body of any such county to authorize the sheriff of the county to employ cooks at the county jail; empowering the governing body of any such county to fix the compensation of such cooks; providing for the payment thereof out of the county general fund and giving this act retroactive effect.

S. 811. Relating to Morgan County; to further regulate the compensation of members of the county board of registrars; to repeal any laws conflicting with this Act and specifically Act No. 668, S. 787, Regular Session 1969 (Acts 1969, p. 1203) and Act No. 580, S. 568, Regular Session 1976 (Acts 1976, p. 787).

S. 812. Relating to Morgan County, to amend further Act No. 520, H. 1154, Regular Session 1965 (Acts 1965, p. 762), relative to establishing a jury commission for the county so as to provide further for the composition of said commission, and to provide that the county governing body shall set the maximum salary limits of the clerk and other appointive members of the commission.

S. 813. To repeal Act No. 679, H. 1377, approved September 8, 1961, entitled "An Act to define, regulate and license barbers and barber colleges, and other like businesses in Morgan County; to create a Barbers Commission for said county; to fix the powers and duties of said Commission; and to provide a penalty for violation of the provisions hereof," as amended.

S. 814. Relating to Morgan County; to provide additional compensation for poll workers and poll officials in said county.

S. 815. To repeal Act No. 928, H. 1765 of the Regular Session of 1971 (Acts 1971, p. 1687) entitled, "An Act To provide for expense allowances for tax assessors in certain counties classified on a population basis."

S. 816. To repeal Act No. 748, S. 604 of the Regular Session of 1975 (Acts 1975, p. 1515) entitled, "An Act Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the judge of the intermediate court."

S. 817. To repeal Act No. 926, H. 1763 of the Regular Session of 1971 (Acts 1971, p. 1686) entitled, "An Act To provide for expense allowances for Tax Collectors in certain counties classified on a population basis."

S. 818: To repeal Act No. 69, H. 70 of the Third Special Session of 1971 (Acts 1971, p. 4217) entitled, "An Act To provide for an additional eighteen hundred dollars (\$1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census."

S. 819. To repeal Act No. 2400, H. 1767 of the Regular Session of 1971 (Acts 1971, p. 3831) entitled, "An Act To provide for expense al-

lowances for the Judge of the Intermediate Court in certain counties classified on a population basis."

S. 820. To repeal Act No. 682, S. 277 of the Regular Session of 1965 (Acts 1965, p. 1243) entitled, "An Act To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit."

S. 821. To repeal Act No. 71, H. 181 of the Second Special Session of 1965 (Acts 1965, p. 94) entitled, "An Act To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit."

S. 822. To repeal Act No. 104, S. 15 of the First Special Session of 1971 (Acts 1971, p. 186) entitled, "An Act Relating to all counties having populations of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; providing an expense allowance for the circuit clerk of such counties."

S. 823. To amend Section 1 of Act No. 741, H. 1860 of the Regular Session of 1973 (Acts 1973, p. 1100) relating to expense allowances of the chairman and members of the governing bodies of counties having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census, so as to raise such allowance.

S. 830. To amend Section 1 of Act No. 849, S. 189, 1975 Regular Session (Acts of 1975, p. 1691), entitled, "An Act Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint," so as to correct an error in the description of the property to be annexed.

S. 869. To provide that the investigators of the district attorney of the thirtieth Judicial Circuit shall have arrest powers in Blount County.

S. 876. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the county treasury.

S. 877. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the probate judge.

Mr. McNair, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 863. Applying to every County of the State having a population of 500,000 or more according to the last or any subsequent Federal Census; to provide that no member, director, officer or trustee as a member of the Board of Trustees of any public corporation created in any such County pursuant to Act No. 46 of the Regular Session of the Legislature of Alabama of 1949, approved June 2, 1949 (Ala. Acts, 1949, pp. 68-73), as amended, (which appears as Tit. 22, Article V, Subdivision 1, Sections 204 (18) - 204 (30), 1958 Code of Ala. Recomp.) and including a hospital, clinic, or nursing home owned or operated by the County, shall be personally liable for the debts, torts or undertakings of the cor-

poration; nor shall the County, its governing body or the members of its governing body be liable for the debts, torts, or undertakings of the corporation.

S. 836. Relating to every wet county having a population of 500,000 or more according to the 1970 or any subsequent federal decennial census; to authorize the selling of alcoholic beverages by an ABC Board licensee in the county's Civic Center area; to empower the governing body of the county seat of any such county to adopt and enforce ordinances establishing business hours for ABC Board licensees to sell or serve alcoholic beverages in the Civic Center area, and to prescribe the penalties for violation of any such ordinances; and to repeal all laws of the state establishing business hours for ABC licensees in the Civic Center area now in effect.

S. 878. Relating to cities having a population of 250,000 inhabitants or more according to the last or most recent federal decennial census; to authorize provision of hospitalization insurance for retired employees between the ages of 50 and 65, and to retired employees retired because of disability at any age up to age 65.

S. 879. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

S. 880. To further amend Section 10 of Act 497 of the Regular Session of the Legislature of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which establishes a pension system for employees and officers of Jefferson County, Alabama.

S. 474. To further amend Title 52, Section 151 of the Code of Alabama of 1940, as amended, which section relates to city boards of education, so as to increase the compensation of certain members in cities having a population of more than 300,000.

S. 572. To further amend Section 2 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Acts of Alabama, 1966 Special Session, page 280, et seq.) entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the fire department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956, to include in said separate system dependents

of said presently active employees; and to render said Act No. 307 and Act Number 22 inapplicable to said certain presently active employees and their dependents”.

Mr. Callahan, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 613. To provide that procedural and substantive rights be accorded law enforcement officers of all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent Federal decennial census; defining the right to counsel secured by the Sixth Amendment of the United States Constitution and procedural due process rights of hearings conducted to determine alleged misconduct of any officer; providing for access to records pertaining to fitness for duty and amendment of records pertaining to fitness for duty; providing for the processing of grievances and complaints against law enforcement officers; and providing that any law enforcement officer may bring a civil action for damages suffered while on official duty in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent Federal decennial census.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 756. Relating to all counties having population of not less than 65,000 nor more than 68,000 according to the 1970 or any subsequent federal decennial census; to provide for the deposit of all pistol permit fees into a special fund to be known as the sheriff's law enforcement fund for the use of the sheriff.

S. 833. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide certain expense allowances for the members of the county commission of such counties.

RESOLUTION

The following resolution was introduced:

By Mr. Manley:

H. R. 571. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That when the House adjourns today, it will adjourn to meet again on Monday, May 16, 1977, at 10:00 o'clock, a. m.

On motion of Mr. Manley, the rules were suspended and the resolution, H. R. 571, was adopted.

RESOLUTIONS

The following resolutions introduced on the twenty-eighth legislative day, were read by title pursuant to Joint Rule 11:

H. R. 560. COMMENDING GENERAL DANIEL JAMES, JR. FOR HIS ADDRESS TO THE NATIONAL GUARD ASSOCIATION OF ALABAMA.

S. J. R. 352. MOURNING THE DEATH OF ROLAND COOPER, PROMINENT WILCOX COUNTY BUSINESSMAN, CATTLE FARMER, FORMER STATE SENATOR AND PROBATE JUDGE.

S. J. R. 347. COMMENDING WILBUR HARDEN, GRAND MASTER OF THE ALABAMA GRAND LODGE.

S. J. R. 348. CONGRATULATING MR. BEN ROGERS LEE OF COFFEEVILLE, ALABAMA.

On motion of Mr. Crowe, the resolutions were adopted en masse.

SPECIAL ORDER

The House then proceeded with the consideration of the uncontested local bills on the Special Order Calendar.

And the bill:

S. 638. To provide for a supplemental salary for the circuit judges of the Fourteenth Judicial Circuit, to be paid by the county comprising such circuit; and to fix the amount and method of payment thereof.

Which was postponed on the twenty-eighth legislative day, was taken up.

SUBSTITUTE OFFERED

Mr. Crowe offered the following substitute to the bill, S. 638:

A BILL TO BE ENTITLED AN ACT

To provide for a supplemental salary for the circuit judges and the District Attorney of the Fourteenth Judicial Circuit; to be paid by the county comprising such circuit, to fix the amount and method of payment of such salary; and to provide that no retirement contributions shall be deducted from the District Attorney's supplemental salary.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the salary paid to each of the circuit judges of the Fourteenth Judicial Circuit by the state there shall also be paid to each of said judges a supplemental salary in a sum equal to one-third ($\frac{1}{3}$) of the salary paid each of said judges by the State of Alabama. Such supplemental salary shall be paid out of the general fund of the county in equal monthly installments at the same time and in the same manner that the salaries of other county employees are paid. The supplemental salary herein provided for shall be in lieu of any other supplemental salary or expense allowance heretofore provided for by law to be paid by the county comprising such circuit.

Section 2. In addition to the salary paid to the District Attorney of the Fourteenth Judicial Circuit by the state there shall also be paid to the said district attorney a supplemental salary in a sum equal to one-fourth ($\frac{1}{4}$) of the salary paid to said District Attorney by the State of Alabama. Such supplemental salary shall be paid out of the general fund of the county comprising such circuit in equal monthly installments at the same time and in the same manner that the salaries of other county employees are paid and no retirement contributions shall be deducted from such supplemental salary. The supplemental salary herein provided for shall be in lieu of any other supplemental salary or expense allowance heretofore provided for by law to be paid by the county comprising such circuit.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Brindley, Buskey, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Cross, Crowe, Drake, Falkenburg, Folmar, Goodwin, Greer, Harris, Hines, Holmes (A), Johnstone, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McMillan, McNees, Manley, Merrill, Moore (O), Naramore, Plaster, Roberts, Sasser, Shelton, Smith (B), Smith (M), Sonnier, Sparks, Turnham, Venable, Waggoner, Weeks, White, Williams Wyatt and Lounce.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Mr. Crowe offered the following amendment to the bill, S. 638 as amended:

Amend the substitute for S. 638 as follows:

On page 1, line 20 by inserting after the word "and" the following:
an expense allowance for

On page 1, line 22 by inserting after the word "salary" the following:
and expense allowance

On page 1, line 24, by striking out the words "supplemental salary" and inserting in lieu thereof the following:
expense allowance

On page 2, by striking out, wherever they appear on lines 4 through 14, the words "supplemental salary" and inserting in lieu thereof the following:
expense allowance

On page 2, lines 15 and 16, by striking out the words "other supplement"

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Brindley, Buskey, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Greer, Harris, Hines, Holmes (A), Holmes (D), Johnstone, Killian, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Merrill, Moore (O), Naramore, Pegues, Plaster, Rich, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Weeks, White, Wyatt and Younce.

—55

S. 638 TEMPORARILY POSTPONED

On motion of Mr. Crowe, the bill, S. 638 as amended, was temporarily postponed.

And the bill:

S. 728. To provide for establishment and operation of an Alabama Music Hall of Fame Board, and to prescribe its powers and duties.

Was taken up.

AMENDMENT OFFERED

Mr. Hill offered the following amendment to the bill, S. 728:

Amend S. B. 728 on page 2 at line 32 by adding the following section and renumbering subsequent sections:

Section 6. There are no State funds appropriated for the expenses and implementation of this Act.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 42; Nays 0.

Yeas:

Mr. Speaker, Baker, Campbell, Carter, Clark, Cooper, Crawford, Cross, Drake, Folmar, Gafford, Goodwin, Greer, Hill, Hines, Holmes (A), Johnstone, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Merrill, Naramore, Plaster, Quarles, Roberts, Sasser, Shelton, Sparks, Starkey, Trammell, Venable, Waggoner, Weeks, White, Williams and Wyatt.

—42

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 728 as thus amended, was read a third time at length and passed.

Yeas 47; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carter, Clark, Coburn, Cooper, Crawford, Crowe, Drake, Folmar, Gafford, Goodwin, Greer, Hall, Hill, Hines, Holmes (A), Johnstone, Kennedy, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Merrill, Moore (O), Naramore, Plaster, Roberts, Sasser, Shelton, Smith (B), Sonnier, Sparks, Starkey, Trammell, Venable, Waggoner, Weeks, White, Williams and Wyatt.

—47

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 785. Relating to all counties having populations of not less than 12,700 nor more than 13,100 inhabitants according to the 1970 or any subsequent federal decennial census; providing that the county governing body in any such county is authorized and empowered to pay the employer's share of social security or F.I.C.A. payments on elected officials.

Was read a third time at length and passed.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Brindley, Campbell, Carter, Cates, Clark, Cooper, Crawford, Crowe, Drake, Folmar, Gafford, Greer, Hall, Hines, Holmes (A), Johnstone, Killian, Kinsey, Lewis, Lutz, McCluskey, McMillan, McNees, Manley, Merrill, Moore (O), Naramore, Plaster, Quarles, Roberts, Sasser, Shelton, Smith (B), Sonnier, Trammell, Venable, Waggoner, Weeks, White, Williams and Wyatt.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

S. 834 POSTPONED

On motion of Mrs. Quarles, the bill, S. 834, was postponed.

And the bill:

S. 688. To provide and regulate a tax exemption for annexed territory of incorporated municipalities with populations of 2,000 or more in any county having a population of 600,000 or more according to the 1970 or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 44; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Brindley, Campbell, Clark, Coburn, Cross, Drake, Falkenburg, Gafford, Goodwin, Greer, Hall,

Hilliard, Hines, Holley, Holmes (A), Johnstone, Kennedy, Killian, Leonard, Lockett, Lutz, McCluskey, McNees, Manley, Martin, Moore (O), Naramore, Quarles, Roberts, Sasser, Shelton, Smith (B), Sonnier, Trammell, Venable, Waggoner, Weeks, White, Williams and Wyatt.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 619. (With Substitute) (With Amendments): To repeal Act No. 736, H. 1821, Regular Session 1973 (Acts 1973, p. 1096), relating to county supplemental salaries for retired or supernumerary circuit judges of the twenty-third judicial circuit.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 4, said committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To provide a local retirement supplement for circuit judges in the twenty-third judicial circuit; providing for a method whereby such judges may elect to come under the provisions of this act; providing for contributions by such judges to the general fund of the county constituting such judicial circuit; and repealing Act No. 736, H. 1821, Regular Session 1973 (Acts 1973, p. 1096), except as to judges who have retired prior to the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Any circuit judge in the twenty-third judicial circuit shall have the right of election to come under the provisions of this act. Any such judge who elects to make the contributions provided for in Section 2 hereof shall be entitled, after serving the required time in office, to receive as additional retirement compensation, payable from the treasury of the county wherein such circuit is located, a retirement supplement in a sum to be determined as follows:

Years of Service as circuit judge	Additional Retirement Compensation
18-24	\$5,000 per annum
over 24	\$7,500 per annum

The retirement compensation provided for herein is supplementary to the retirement compensation paid such judges by the state and shall be paid out of the general funds of such county in twelve (12) approximately equal monthly installments on warrants properly drawn against such general funds.

Section 2. A circuit judge in the Twenty-third Judicial Circuit may elect to participate in the retirement benefits provided in Section 1 hereof by filing with the clerk of the circuit court and with the chairman of

the County Commission or County Treasurer of the county wherein such circuit is located a written instrument declaring his election to so participate and authorizing the county governing body to deduct the sum of \$600 per annum as his contribution toward the cost of providing the retirement compensation provided for in Section 1 hereof.

Section 3. The election provided for in Sections 1 and 2 hereof must be made by a judge holding office at the time of the effective date hereof within ninety (90) days from the effective date hereof and if not then made may not thereafter be made. A judge not holding office on the effective date thereof must make such election within ninety (90) days after the date he takes office and if such election is not made it may not thereafter be made.

Section 4. Act No. 736, H. 1821, Regular Session 1973 (Acts 1973, p. 1096), relating to county supplemental salaries for retired or supernumerary circuit judges of the Twenty-third Judicial Circuit, except as said Act shall apply to judges who shall have retired prior to the effective date hereof, is hereby specifically repealed and shall have no further force or effect of law except as it shall apply to judges who shall have retired prior to the effective date hereof. All rights existing on the effective date of this act on the part of judges who have retired prior to the effective date of this act are specifically preserved.

Section 5. The provisions of this act are severable. If any part or portion of this act is declared invalid or unconstitutional, such declaration shall not affect the parts or portions which remain.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 38; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Brindley, Campbell, Carter, Clark, Coburn, Crawford, Cross, Crowe, Drake, Falkenburg, Gafford, Goodwin, Greer, Gregg, Hall, Hines, Johnstone, Lockett, Lutz, McMillan, McNees, Manley, Martin, Merrill, Naramore, Plaster, Riddick, Shelton, Smith (B), Sonnier, Waggoner, Weeks, Williams and Wyatt.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the adoption of the amendment No. 1 reported by the Standing Committee on Local Legislation No. 4, said committee amendment being as follows:

Amend Substitute to S. B. 619 by adding to Section 1, Page 1, beginning on line 39 the following:

Provided, however, that, as to any circuit judges subject to the provisions of this Act and holding office on the effective date of this Act, the

years of service requirements enumerated above shall not apply, and such judges shall be entitled to receive a retirement supplement effective from the date that they begin receiving retirement compensation under the State Judicial Retirement System. Provided further that the amount of such local retirement supplement as to any circuit judges subject to the provisions of this Act and holding office on the effective date of this Act shall be seven thousand five hundred (\$7500.00) per annum.

And the amendment was adopted.

Yeas 44; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Biddle, Brindley, Buskey, Campbell, Carter, Clark, Crawford, Crowe, Drake, Falkenburg, Goodwin, Greer, Gregg, Hall, Hines, Holmes (A), Johnstone, Jolly, Kennedy, Killian, Lewis, Lockett, Lutz, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Naramore, Plaster, Riddick, Roberts, Shelton, Smith (B), Sonnier, Starkey, Trammell, Waggoner, Weeks, Williams and Wyatt.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the adoption of the amendment No. 2 reported by the Standing Committee on Local Legislation No. 4, said committee amendment being as follows:

Amend the Substitute for S. 619 as follows:

On page 2, after line 23, by inserting the following section and by renumbering subsequent sections accordingly:

Section 4. If any person who has paid in contributions pursuant to Section 2 leaves office or dies before becoming entitled to receive the retirement compensation hereinabove provided for, he or his estate shall be entitled to be reimbursed all such contributions.

And the amendment was adopted.

Yeas 43; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Brindley, Buskey, Campbell, Carter, Clark, Crawford, Crowe, Drake, Falkenburg, Goodwin, Greer, Gregg, Hall, Hines, Holmes (A), Johnstone, Jolly, Killian, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Naramore, Plaster, Riddick, Roberts, Shelton, Smith (B), Sonnier, Sparks, Trammell, Waggoner, Weeks, Williams and Wyatt.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Mr. Smith (B) offered the following amendment to the bill, S. 619 as amended:

Amend the Substitute to S. 619 as follows:

On page 1, line 32, by striking out the figure "18-24" and inserting in lieu thereof the following words and figures:

18 but less than 24

On page 1, line 33, by striking out the words and figures "over 24" and inserting in lieu thereof the following words and figure:

24 or more

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 40; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Buskey, Campbell, Carter, Clark, Coburn, Crowe, Drake, Goodwin, Greer, Hall, Holmes (A), Holmes (D), Johnstone, Jolly, Kennedy, Killian, Lewis, Lockett, Lutz, Manley, Martin, Merrill, Naramore, Plaster, Quarles, Riddick, Roberts, Sasser, Shelton, Smith (B), Sonnier, Waggoner, Weeks, Williams, Wyatt and Younce.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 619 as thus amended, was read a third time at length and passed.

Yeas 43; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Brindley, Buskey, Campbell, Clark, Coburn, Crawford, Drake, Folmar, Gafford, Goodwin, Greer, Hall, Hilliard, Holmes (A), Holmes (D), Howard, Johnstone, Jolly, Killian, Lewis, Lockett, Lutz, Manley, Martin, Merrill, Naramore, Plaster, Reed, Riddick, Roberts, Sasser, Shelton, Smith (B), Sonnier, Starkey, Waggoner, Weeks, Williams and Wyatt.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BILLS RE-REFERRED

On motion of Mrs. Quarles, the Speaker re-referred the bills, S. 708 and S. 698, from the Standing Committee on Conservation to the Standing Committee on Local Legislation No. 1.

SPECIAL ORDER RESUMED

And the bill:

S. 834. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Was read a third time at length and passed.

Yeas 42; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Biddle, Brindley, Buskey, Campbell, Clark, Coburn, Crawford, Crowe, Drake, Gafford, Goodwin, Greer, Hilliard, Hines, Jackson (F), Johnstone, Kennedy, Lewis, McCluskey, Manley, Martin, Merrill, Moore (O), Naramore, Quarles, Reed, Roberts, Sasser, Shelton, Smith (B), Sonnier, Sparks, Trammell, Waggoner, Weeks, White, Williams and Wyatt.

—42

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1079. Providing for purging the lists of registered voters in Walker County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Was taken up.

H. 1079 INDEFINITELY POSTPONED

On motion of Mr. Crowe, the bill, H. 1079, was indefinitely postponed.

S. 540 TEMPORARILY POSTPONED

On motion of Mr. Rich, the bill, S. 540, was temporarily postponed.

And the bill:

S. 620. To authorize the board of education of Etowah County to borrow money for capital outlay purposes for the county school system and to pledge to the repayment thereof the revenues derived from the county tax on the sale of malt or brewed beverages in the county; to regulate the procedure for obtaining loans and the use of the proceeds thereof; to prescribe the time within which the loan must be repaid; and to provide for the payment of any outstanding indebtedness should the county cease, at any time in the future, to be a "wet" county.

Was taken up.

AMENDMENT OFFERED

Mr. Rich offered the following amendment to the bill, S. 620:

Amend S. B. 620 on page 1 by adding the following to Section Two.

The school districts of Glencoe, Hokes Bluff, Southside-John Jones and Sardis shall have first priority to all existing revenues available through the sale of malt or brewed beverages to the Etowah County School System for capital outlay purposes and shall have first priority to all borrowed funds under this Act until the following needs have been met. A new school to be built in the Glencoe District, a new school to be built in the Hokes Bluff District, a new school on a new site in the Southside-John Jones District and in the Sardis District there shall be a media center and new classrooms built at both Carlisle and Whitesboro Elementary Schools and a new bandroom and P. E. dressing facilities at Sardis High School. There is no significance to the order in which these districts are listed in the Act. The priorities regarding these four districts shall be determined by the Board of Education, upon the recommendation of the Superintendent.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 39; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Brindley, Buskey, Carter, Clark, Crawford, Crowe, Ford, Goodwin, Hines, Holmes (D), Jackson (F), Johnstone, Kennedy, Kinsey, Lewis, Lockett, Lutz, McMillan, Manley, Merrill, Moore (O), Plaster, Reed, Rich, Sasser, Shelton, Smith (B), Sonnier, Starkey, Taylor, Trammell, Weeks, White, Williams and Wyatt.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 620 as thus amended, was read a third time at length and passed.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Carter, Clark, Falkenburg, Goodwin, Greer, Hines, Holmes (A), Holmes (D), Jackson (F), Johnstone, Jolly, Kennedy, Killian, Lewis, Lockett, Lutz, McCluskey, McMillan, McNeese, Manley, Merrill, Moore (O), Plaster, Reed, Rich, Sasser, Shelton, Smith (B), Sonnier, Starkey, Taylor, Trammell, Turnham, Waggoner, Weeks, White, Williams and Wyatt.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 841. (With Amendment): Relating to any county having a population of not less than 95,000 nor more than 115,000 according to the 1970

or any subsequent federal decennial census; to set the county license commissioner's salary.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend S. B. 841 as follows:

On line 25 and 26, strike out the words sixteen thousand five hundred dollars (\$16,500), and insert in lieu thereof the following: fifteen thousand dollars (\$15,000).

And the amendment was adopted.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Biddle, Brindley, Buskey, Carter, Clark, Crawford, Crowe, Drake, Goodwin, Hill, Hines, Holmes (D), Jackson (F), Johnstone, Jolly, Kennedy, Killian, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Moore (O), Plaster, Quarles, Reed, Sasser, Shelton, Smith (B), Sonnier, Starkey, Trammell, Turnham, Waggoner, White, Williams and Wyatt.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 841 as thus amended, was read a third time at length and passed.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Biddle, Brindley, Buskey, Carter, Clark, Crawford, Drake, Goodwin, Hill, Hines, Holmes (D), Johnstone, Jolly, Kennedy, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Moore (O), Naramore, Plaster, Quarles, Reed, Sasser, Shelton, Smith (B), Sonnier, Starkey, Trammell, Turnham, Waggoner, White, Williams and Wyatt.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 843. Relating to any county having a population of not less than 95,000 nor more than 115,000 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the county coroner.

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Was read a third time at length and passed.

Yeas 46; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Carter, Clark, Cross, Drake, Goodwin, Hill, Hines, Holmes (D), Jackson (F), Johnstone, Jolly, Kennedy, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Moore (O), Naramore, Plaster, Quarles, Reed, Sasser, Shelton, Smith (B), Sonnier, Starkey, Trammell, Turnham, Waggoner, Weeks, White, Williams and Wyatt.

—46

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 864. (With Amendment): To amend Section 1 of Act No. 354, H. 603 of the Regular Session of 1963 (Acts 1963, p. 854) which provides an expense allowance for the mayor and city commissioners of cities having populations of not less than 50,000 nor more than 60,000 according to the 1970 or any subsequent federal decennial census, so as to raise such allowances.

Was taken up.

SUBSTITUTE OFFERED

Mr. Ford offered the following substitute to the bill, S. 864 with pending amendment:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 354, H. 603 of the Regular Session of 1963 (Acts 1963, p. 854) which provides an expense allowance for the mayor and city commissioners of cities having populations of not less than 50,000 nor more than 60,000 according to the 1970 or any subsequent federal decennial census, so as to raise such allowances.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 354, H. 603 of the Regular Session of 1963 (Acts 1963, p. 854) is hereby amended to read as follows:

"Section 1. In all cities in this state having populations of not less than 50,000 nor more than 60,000 according to the most recent federal decennial census, the board of city commissioners or other like governing body of the city is authorized to provide an expense allowance for the mayor of an amount not to exceed \$3,000.00 per annum, and expense allowances for each of the other city commissioners in an amount not to exceed \$2,400.00 per annum. Such allowances shall be paid in equal monthly installments out of the city treasury from funds not otherwise appropriated, and shall be in addition to all other allowances heretofore provided." Provided, however, such allowances must be approved by a unanimous vote of the mayor and other city commissioners at a regular meeting date set by the commission.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Carter, Drake, Ford, Goodwin, Hall, Hines, Holmes (A), Holmes (D), Jackson (F), Johnstone, Jolly, Kennedy, Kinsey, Lewis, Lutz, Manley, Martin, Merrill, Moore (O), Naramore, Plaster, Quarles, Sasser, Shelton, Sonnier, Taylor, Trammell, Turnham, Waggoner, Weeks, White, Williams and Wyatt.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 864 as thus amended, was read a third time at length and passed.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Campbell, Carter, Crawford, Drake, Folmar, Ford, Goodwin, Hall, Hines, Holmes (A), Holmes (D), Jackson (F), Johnstone, Jolly, Kennedy, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Moore (O), Owens, Plaster, Quarles, Reed, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Starkey, Taylor, Trammell, Turnham, Waggoner, Weeks, White, Williams and Wyatt.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 865. Relating to cities in the state having a population of not less than 50,000 nor more than 60,000 inhabitants according to the 1970 or any subsequent federal decennial census; providing that the city commission of any such city shall be authorized to establish their meeting dates by resolution.

Was read a third time at length and passed.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Brindley, Campbell, Carter, Crawford, Crowe, Drake, Folmar, Ford, Goodwin, Hines, Holmes (A),

Holmes (D), Jackson (F), Johnstone, Jolly, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Moore (O), Plaster, Quarles, Reed, Sasser, Shelton, Smith (B), Sonnier, Taylor Trammell, Waggoner, Weeks, White, Williams and Wyatt.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The House then proceeded with consideration of the Unfinished Business.

And the bill:

S. 469. To set forth a declaration of public policy and legislative intent; to define terms used herein; to require that persons detonating blasting agents and/or explosives be examined and licensed by the State of Alabama; to provide for the payment of fees for examinations and licenses; to provide for the suspension and revocation of licenses and for hearings and appeals in connection therewith; to provide for the licensing of certain persons experienced in blasting without examination upon the payment of a fee; to provide certain standards of blasting safety including notification to owners of certain types of properties and requiring that protective measures be taken when needed in regard to such properties, the covering of a certain type of detonating cord in certain circumstances, prohibiting the impeding of traffic by the throwing of blasted material on highways without prior agency approval and the prohibition of night time blasting except when necessary for safety of operations or with prior approval of Agency; to establish standards for blasting including establishing a peak particle velocity of ground motion at certain locations, the establishing of formulae for regulating the amounts of blasting agents and/or explosives allowable under certain conditions and establishing a table of such amounts; to provide for monitoring of blasting by seismological devices and prescribing criteria for their design and use; to establish a formula for computing certain effects of blasting; to establish permissible occasions for the use of seismographic equipment; to provide for the keeping of certain records and their availability for examination by the state; to require that those engaged in blasting operations obtain property damage and personal injury liability insurance; to establish penalties for the violation of this Act; to provide for the administration of this Act by the Department of Industrial Relations and by the Alabama Surface Mining Reclamation Commission; to provide a severability clause; to repeal certain laws and to prohibit the enactment of local, county, or municipal regulations; to establish powers of the administering agencies; to establish a short title, and to provide for an effective date.

As amended on the twenty-eighth legislative day, was taken up.

SUBSTITUTE OFFERED

Mr. Leonard offered the following substitute to the bill, S. 469 as amended:

A BILL TO BE ENTITLED AN ACT

To amend Section 11 of Act No. 551, S. 887, Regular Session 1975 (Acts of Alabama 1975, p. 1226), the Alabama Surface Mining Reclama-

tion Act of 1975, an act establishing a system of regulation and control of coal surface mining and reclamation, so as to delete the current subsection C of Section 11 and thereby remove references to distances within which the Alabama Surface Mining Reclamation Commission may regulate the detonation of explosives, and to add a new subsection c to Section 11 to give the Commission the power to adopt rules for detonating explosives.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 11 of Act No. 551, S. 887, Regular Session 1975 (Acts of Alabama 1975, p. 1226), the "Alabama Surface Mining Reclamation Act of 1975," is hereby amended to read as follows:

"Section 11. Blasting Regulations.

"(a) An operator shall use explosives only in accordance with the rules, regulations, and standards as set forth the Mine Enforcement Safety Administration, the Coal Mining Laws of the State of Alabama and the open Pit and Quarry Safety Rules of the State of Alabama.

"(b) No blasting shall be performed after sunset or before sunrise except as may be required to comply with the rules, regulations and standards prescribed in Paragraph (a) above, or such other rules and regulations as may be adopted hereunder.

"(c) The Commission shall adopt rules for detonating explosives within three hundred (300) feet of occupied or usable buildings or dwellings in order to prevent injury to persons and property. In adopting the rules, the Commission shall consider the type and amount of explosive required relative to the geology of the area, and all related factors including acceptable practices in the industry.

"(c) The Commission shall adopt rules for detonating explosives. In adopting the rules, the Commission shall consider the type and amount of explosives required, acceptable industry practices, and other such factors as to provide ample notification to persons in buildings and dwellings near the blasting site, minimum setbacks from occupied buildings and dwellings and public highways, and other such factors."

"(d) If an explosive is to be detonated within one thousand (1,000) feet of occupied buildings or dwellings, all persons in such buildings and dwellings shall be notified within twenty four hours prior to the blast; in those cases where the operator so elects, he may furnish such persons with a blasting schedule extending for a reasonable period of time.

"(e) No blasting shall be done within the prescribed minimum distance three hundred (300) of one thousand (1000) feet unless prior written consent of the owner of the building has been obtained.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Mr. Crowe, the substitute offered by Mr. Leonard to the bill, S. 469 as amended, was tabled.

Yeas 39; Nays 36.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Callahan, Carothers, Clark, Coburn, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Gafford, Hines,

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Jackson (F), Kinsey, Lee, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Naramore, Pegues, Reed, Robertson, Sandusky, Sasser, Smith (C), Sonnier, Sparks, Starkey, Waggoner, Weeks, White and Younce.

—39

Nays:

Messrs.: Albright, Boles, Brindley, Buskey, Campbell, Crawford, Dial, Ford, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Holmes (A), Holmes (D), Hopping, Howard, Jackson (R), Johnstone, Jolly, Kennedy, Killian, Leonard, Lewis, Lockett, Lutz, McNair, Plaster, Riddick, Shelton, Smith (B), Taylor, Trammell, Tucker and Wyatt.

—36

AMENDMENT OFFERED

Mr. Leonard offered the following amendment No. 6 to the bill, S. 469 as amended:

Amend S. 469 on page 13, line 23, by adding the following new section:

“(c) The Agency may issue an injunction to prohibit any further blasting by any organization or individual that willfully violates the terms of this Act.”

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 6 offered by Mr. Leonard to the bill, S. 469 as amended, was tabled.

Yeas 46; Nays 36.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Callahan, Carothers, Clark, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Hines, Kinsey, Lee, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Reed, Roberts, Robertson, Sandusky, Sasser, Smith (C), Sonnier, Sparks, Starkey, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—46

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Carter, Cates, Coburn, Crawford, Ford, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Johnstone, Jolly, Kennedy, Leonard, Lewis, Lockett, Lutz, McNair, Quarles, Riddick, Shelton, Smith (B), Taylor, Trammell and Tucker.

—36

AMENDMENT OFFERED

Mr. Leonard offered the following amendment No. 7 to the bill, S. 469 as amended:

Amend S. 469, on page 2, line 21, by deleting the phrase “The Legislature finds”, and stating “Some of the Legislature, but not all of the members find”

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 7 offered by Mr. Leonard to the bill, S. 469 as amended, was tabled.

Yeas 47; Nays 29.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Callahan, Carothers, Carter, Clark, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Jackson (F), Kinsey, Lee, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Reed, Roberts, Robertson, Sandusky, Sasser, Smith (C), Sonnier, Sparks, Starkey, Taylor, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—47

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Cates, Crawford, Ford, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Johnstone, Jolly, Lewis, Lockett, Lutz, McNair, Quarles, Shelton, Smith (B), Trammell and Tucker.

—29

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 336. Rejecting the report of the State Judicial Compensation Commission for salaries and expense allowances for the judiciary submitted February 1, 1977.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

S. 469 RESUMED

AMENDMENT OFFERED

Mr. Hall offered the following amendment No. 1 to the bill, S. 469 as amended:

On page 7, line 18, add the following after the word "intended"

"When blasting operations are to be conducted within 300 feet of an occupied building notice shall be given to the individuals occupying such buildings.

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 1 offered by Mr. Hall to the bill, S. 469 as amended, was tabled.

Yeas 52; Nays 28.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Callahan, Carothers, Carter, Clark, Coburn, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Hines, Holmes (A), Jackson (F), Kelley, Kinsey, Lee, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Reed, Roberts, Robertson, Sandusky, Sasser, Smith (C), Smith (M), Sonnier, Sparks, Starkey, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—52

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Gregg, Hall, Harrison, Hill, Hilliard, Holmes (D), Hopping, Howard, Jolly, Kennedy, Killian, Leonard, Lockett, Lutz, Moore (W), Quarles, Riddick, Shelton, Smith (B), Taylor, Trammell and Tucker.

—28

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1235. Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the 1970 or any subsequent federal decennial census; to provide for the appointment of deputy sheriffs, clerks, jailers and cooks and to fix their salaries.

Also:

H. 1243. To alter, rearrange, and extend the boundary limits and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

Also:

H. 1246. To provide for the appointment of a deputy district attorney for the twenty-first judicial circuit of Alabama; to designate him as a state officer; to prescribe his qualifications, powers and duties and to fix and provide for payment of his compensation.

Also:

H. 1018. Relating to Butler County; to amend Sections 1 and 3 of Act No. 942, H. 1828, 1975 Regular Session (Acts of 1975, p. 1968) relating to salaries for certain county officers, so as to delete the provisions relating to circuit clerk and to add a provision for expense allowances.

Also:

H. 1048. To amend Section 4 of Act No. 356 of the 1973 Session of the Alabama Legislature to allow a former member of the Montgomery

County retirement system who becomes reemployed by the County to repay his withdrawn funds and have his previous creditable service restored.

Also:

H. 1069. Relating to counties having populations of not less than 90,000 nor more than 100,000; to authorize the county governing body of the judicial circuit in which such counties are located to furnish to the office of the District Attorney necessary personnel, equipment and supplies; to provide that this act apply retroactively.

Also:

H. 1081. Relating to all counties having populations of not less than 16,600 nor more than 16,950 inhabitants according to the 1970 or any subsequent federal decennial census; allowing the county governing body of any such county to pay certain necessary and reasonable expenses incident to the official business of the judge of probate, including professional dues, registration, meals, tuition and other fees, and travel and lodging while attending professional seminars; providing that such expenses shall be paid from the county funds of such counties; and making the provisions of this act retroactive.

Also:

H. 1084. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; setting the salary of the clerk of the jury commission in such counties, retroactive to March 1, 1976, payable out of the funds of the county treasury.

Also:

H. 1108. Relating to Etowah County, Alabama; levying a privilege license tax upon the sale, use or consumption, distributing of malt or brewed beverages within Etowah County, providing for the collection and distribution of the proceeds of said tax; providing for the administration of the Act; providing penalties for violations of the Act; repealing conflicting laws, including Act No. 78, Fourth Special Session 1975; providing that this Act be severable; and providing for the effective date hereof.

Also:

H. 1109. Relating to counties with populations of not less than 90,000 nor more than 100,000; relating to county taxes on malt or brewed beverages; to provide penalties for violation of any local law levying such taxes within any county to which this Act applies; to provide that no municipality within any such county shall be empowered to levy or collect a tax on malt or brewed beverages in addition to the county-wide tax; and to repeal conflicting laws.

Also:

H. 1111. Relating to all counties having populations of not less than 60,000 nor more than 65,000 according to the 1970 or any subsequent federal decennial census; to provide for the holding of special advisory referendums to ascertain the sentiment of voters on public issues affecting any such county.

Also:

H. 1126. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the 1970 or any

subsequent federal decennial census; to authorize the creation of the office of deputy coroner and prescribe the duties and compensation of said office.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1135. Relating to Elmore County; to provide for the compensation and expense allowance for the county superintendent of education, and to provide for the effective date.

Also:

H. 1137. Relating to Conecuh County; providing further for hospital service for the indigent in such county; authorizing the hospital board certain authority in order to induce physicians to serve on the staff and practice as staff members of the hospital and in the county.

Also:

H. 1139. To amend Act No. 833, H. 1791, Regular Session 1973 (Acts 1973, p. 1329) which act relates to certain compensation and expense allowance provisions for superintendent and members of county boards of education in counties having populations of not less than 14,000 nor more than 15,000 inhabitants according to the 1970 or any subsequent federal decennial census, so as to provide for an expense allowance for members of such boards.

Also:

H. 1140. Relating to all counties having populations of not less than 14,000 nor more than 15,000 inhabitants according to the 1970 or any subsequent federal decennial census; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

H. 1141. Relating to counties having populations of not less than 36,500 nor more than 39,200 according to the 1970 or any subsequent federal decennial census; to allow tax assessment on a year round basis in any such county and the probate judge to make available to the tax assessor any deed recording transaction within 30 days of the recording date.

Also:

H. 1170. To provide for the payment of retirement benefits for retired probate judges of Etowah County, said benefits to be the same

as those retirement benefits granted to state circuit court judges as provided Act No. 1163, passed by the Alabama Legislature and approved September 18, 1973, said retirement benefits to such probate judges to be paid from the general fund of Etowah County, and to provide that such probate judge shall forfeit all retirement benefits under the general law of the State if such probate judge elects to come under the provisions of this Act.

Also:

H. 1182. To amend the title and Sections 1 and 2 of Act No. 1188, H. 1488, 1975 Regular Session (Acts of 1975, p. 2319), entitled "An Act To provide that the Shelby County Commission is authorized to provide and additional expense allowance to certain county officers," so as to eliminate the expense allowance of the judge of the inferior court and the circuit clerk; to provide an allowance for the district court magistrate; to provide that the allowances are mandatory; and to provide that the expense allowance of county commissioner members remain an expense allowance, rather than becoming a salary at the commencement of a new term; and to provide retroactivity to the provisions of this amendment.

Also:

H. 1183. Relating to counties having populations of not less than 56,500 nor more than 59,000 according to the 1970 or any subsequent federal decennial census; to increase the expense allowance of the county coroner.

Also:

H. 1217. Relating to Marshall County; providing that certain county prisoners and state prisoners who are housed in county or city jails of Marshall County may be used on a voluntary basis in the building, repairing and maintenance of public roads, buildings and other public properties; providing for the commutation of sentence of certain state and county convicts who participate in such public work projects and providing for an appropriation from the county general fund in order to effectuate the provisions of this act.

Also:

H. 1223. To provide for purging the lists of registered voters in Clay County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 1226. To authorize the governing body of Greene County, Alabama, to set an election in said county for the purpose of determining whether or not the said governing body of Greene County may levy an additional privilege or license and excise and sales tax for a period of ten years equaling one percent and paralleling such state taxes as are provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and the Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection thereof; providing that the revenues arising from any levy made by said governing body of said county under authority of this Act shall be made to the Greene County Hospital Board for the operation and maintenance of the Greene County Hospital and Nursing Home in said county; and providing certain exemptions from such tax.

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Also:

H. 1227. Relating to Greene County; authorizing the county to transfer the Coleman-Banks House to the Greene County Historical Society or any other historical preservation society in Greene County.

Also:

H. 1233. To amend the title and Sections 1 and 4 of Act No. 969, H. 2064, Regular Session 1973, (Acts 1973, p. 1485), relating to certain county supplementary pay by Dallas County to any circuit judge of the county, so as to provide the same supplementary pay to the district judge of the county.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 358. NAMING SECTIONS OF HIGHWAY U. S. 90.

Also:

H. J. R. 359. NAMING A SECTION OF HIGHWAY U. S. 31 NORTH.

Also:

H. J. R. 360. NAMING A SECTION OF STATE HIGHWAY 225.

Also:

H. J. R. 476. EXTENDING APPRECIATION TO DR. MYRON D. FOTTLER FOR HIS REPORT PREPARED FOR THE LEGISLATIVE MEDICAID COMMITTEE.

Also:

H. J. R. 529. NAMING THE TWO BRIDGES ON U. S. HIGHWAY 131 SOUTH, CROSSING PEA RIVER, "VETERANS MEMORIAL BRIDGE."

Also:

H. J. R. 567. NAMING CAMDEN STATE PARK THE "ROLAND COOPER STATE PARK".

Also:

H. J. R. 568. CONGRATULATING REPRESENTATIVE GARY COOPER, COMMANDER OF THE 4th RESERVE BATTALION, 14th MARINES, 4th MARINE DIVISION.

Also:

H. J. R. 569. COMMENDING MRS. LOYCE D. WHITSON, OUT-
STANDING SCIENCE TEACHER OF ALABAMA.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 33. Relating to certain positions in the State Department of Revenue, providing that the salaries to be paid to such positions shall be the same as that paid to the positions of Attorney III Supervisor.

Also:

H. 484. To provide for the salary of the Governor.

Also:

H. 486. To make appropriations for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1978.

Also:

H. 490. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County for the fiscal year ending September 30, 1978.

Also:

H. 491. To make appropriations for the support and maintenance of Talladega College.

Also:

H. 492. To make appropriations for the support and maintenance of the Walker County Junior College located in Jasper, Walker County, Alabama for the fiscal year ending September 30, 1978.

Also:

H. 493. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Also:

H. 196. To amend Code of Alabama 1940, Title 45, Section 144, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

McDOWELL LEE,
Secretary.

S. 469 RESUMED

AMENDMENT OFFERED

Mr. Hall offered the following amendment No. 2 to the bill, S. 469 as amended:

Amend S. B. 469 as follows:

On page 7, line 12, add the following between the words "line" and "or" "residential buildings"

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AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 2 offered by Mr. Hall to the bill, S. 469 as amended, was tabled.

Yeas 47; Nays 28.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Callahan, Carothers, Carter, Clark, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Hines, Jackson (F), Kelley, Kinsey, Lee, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Naramore, Owens, Pegues, Reed, Roberts, Robertson, Sandusky, Sasser, Smith (C), Smith (M), Sonnier, Sparks, Starkey, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—47

Nays:

Messrs.: Albright, Barron, Biddle, Boles, Brindley, Buskey, Crawford, Hall, Harrison, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Jolly, Kennedy, Leonard, Lewis, Lockett, Lutz, McNair, Quarles, Rich, Riddick, Shelton, Smith (B), Taylor and Trammell.

—28

AMENDMENT OFFERED

Mr. Hall offered the following amendment No. 3 to the bill, S. 469 as amended:

Eliminate the sentence beginning on Page 9, line 22, with "so long"

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 3 offered by Mr. Hall to the bill, S. 469 as amended, was tabled.

Yeas 49; Nays 26.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Callahan, Carothers, Carter, Clark, Coburn, Cross, Crowe, Drake, Falkenburg, Ford, Gafford, Goodwin, Jackson (F), Kelley, Kinsey, Lee, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Morris, Naramore, Pegues, Plaster, Reed, Roberts, Robertson, Sandusky, Sasser, Smith (C), Sonnier, Sparks, Starkey, Taylor, Venable, Waggoner, Weeks, Whatley, White, Williams, Wyatt and Younce.

—49

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Crawford, Gregg, Hall, Harrison, Hill, Hilliard, Holmes (D), Hopping, Howard, Johnstone, Kennedy, Leonard, Lewis, Lockett, Lutz, McNair, Quarles, Rich, Shelton, Smith (B) and Trammell.

—26

AMENDMENT OFFERED

Mr. Hall offered the following amendment No. 4 to the bill, S. 469 as amended:

Amend S. B. 469 by deleting lines 3, 4, and 5 of page 9

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 4 offered by Mr. Hall to the bill, S. 469 as amended, was tabled.

Yeas 46; Nays 28.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Callahan, Carothers, Clark, Coburn, Crawford, Cross, Crowe, Drake, Falkenburg, Gafford, Goodwin, Holmes (D), Jackson (F), Kelley, Kinsey, Lee, McCluskey, McMillan, McNeese, Manley, Merrill, Mitchem, Moore (O), Naramore, Pegues, Plaster, Reed, Roberts, Robertson, Sandusky, Sasser, Smith (C), Sonnier, Sparks, Starkey, Venable, Waggoner, Weeks, Whatley, White, Wyatt and Younce.

—46

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Johnstone, Jolly, Kennedy, Leonard, Lewis, Lockett, Lutz, McNair, Martin, Quarles, Rich, Shelton, Smith (B), Taylor, Trammell and Tucker.

—28

AMENDMENT OFFERED

Mr. Harrison offered the following amendment No. 1 to the bill, S. 469 as amended:

Amend S. B. 469, page 13, line 19 by deleting entirely and adding the following "be fined not less than 1,000.00 nor more than 10,000.00"

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 1 offered by Mr. Hall to the bill, S. 469 as amended, was tabled.

Yeas 45; Nays 30.

Yeas:

Mr. Speaker, Armstrong, Baker, Callahan, Carothers, Carter, Clark, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Hines, Holmes (D), Jackson (F), Kelley, Kinsey, Lee, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Morris, Naramore, Owens, Pegues, Plaster, Roberts, Sasser, Smith (C), Smith (J), Sonnier, Sparks, Starkey, Turnham, Venable, Waggoner, Weeks, White, Williams, Wyatt and Younce.

—45

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Coburn, Edwards, Ford, Gregg, Hall, Harrison, Hilliard, Hopping, Howard, Johnstone, Jolly, Kennedy, Leonard, Lewis, Lockett, Lutz, McNair, Quarles, Reed, Rich, Riddick, Smith (B), Trammell and Tucker.

—30

AMENDMENT OFFERED

Mr. Harrison offered the following amendment No. 2 to the bill, S. 469 as amended:

Amend S. B. 469, page 14, line 5 by adding after the word "month" the following: "and one year"

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AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 2 offered by Mr. Harrison to the bill, S. 469 as amended, was tabled.

Yeas 45; Nays 30.

Yeas:

Mr. Speaker, Armstrong, Baker, Callahan, Carothers, Clark, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Holmes (D), Jackson (F), Kelley, Kinsey, Lee, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Roberts, Robertson, Sandusky, Sasser, Smith (C), Smith (J), Sonnier, Sparks, Starkey, Venable, Waggoner, Weeks, White, Williams, Wyatt and Younce.

—45

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Johnstone, Jolly, Kennedy, Killian, Leonard, Lewis, Lockett, Lutz, McNair, Quarles, Reed, Rich, Riddick, Smith (B), Taylor, Trammell and Tucker.

—30

AMENDMENT OFFERED

Mr. Harrison offered the following amendment No. 3 to the bill, S. 469 as amended:

Amend S. B. 469, page 14, line 16 by placing a period after the word "blasting" and deleting the remaining section entirely.

AMENDMENT TABLED

On motion of Mr. Crowe, the amendment No. 3 offered by Mr. Harrison to the bill, S. 469 as amended, was tabled.

Yeas 47; Nays 29.

Yeas:

Mr. Speaker, Armstrong, Callahan, Carothers, Carter, Clark, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Gafford, Goodwin, Holmes (D), Jackson (F), Kelley, Kinsey, Lee, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Roberts, Robertson, Sandusky, Sasser, Smith (C), Smith (J), Sonnier, Sparks, Starkey, Venable, Waggoner, Weeks, Williams, Wyatt and Younce.

—47

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Johnstone, Jolly, Kennedy, Killian, Leonard, Lewis, Lockett, Lutz, McNair, Quarles, Reed, Rich, Riddick, Smith (B), Trammell and Tucker.

—29

And the bill, S. 469 as thus amended, was read a third time at length and passed.

Yeas 61; Nays 29.

Yeas:

Mr. Speaker, Armstrong, Baker, Callahan, Carothers, Carter, Clark, Coburn, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar,

Ford, Gafford, Glass, Goodwin, Harris, Hines, Holmes (D), Jackson (F), Kelley, Killian, Kinsey, Lee, McMillan, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Reed, Roberts, Robertson, Sandusky, Sasser, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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Nays:

Messrs.: Barron, Biddle, Boles, Brindley, Buskey, Campbell, Dial, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Johnstone, Jolly, Kennedy, Leonard, Lewis, Lockett, Lutz, McCluskey, McNair, Quarles, Rich, Riddick, Smith (B), Trammell and Tucker.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 482. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1978.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House non-concurred in the Senate amendment to the bill, H. 482, said Senate amendment being as follows:

Amend House Bill No. 482 Page 80, line 25 after Section XV add new Section "XVI" to read as follows "1. John M. Will Memorial Scholarship fund \$1,000"

Amend House Bill No. 482 Page 77 by inserting new Section C as follows:

C. 1. For Midfield Board of Education for burned out Junior high school \$350,000.00

Amend Sen. Substitute for H. B. 482 as substituted by adding on page 53 under item III the following

"Ala State Univ.

For Capital Outlay\$400,000

Amend House Bill 482 as substituted on page 71 by striking lines 6 through 16 and substituting in lieu the following:

	ASETF	FEDERAL & OTHER FUNDS	APPRO- PRI- ATION TOTAL
3. Operation and Maintenance			
Ft. Rucker/Dothan:			
(a) Instruction			1,236,640
(b) Libraries			238,160
(c) Institutional Support			413,270
(d) Auxiliary Enterprises			134,556

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Source of Funds

(1) ASETF	730,000		
(2) Other Sources		1,292,626	
Total Operation and Maintenance at Ft. Rucker/Dothan	730,000	1,292,626	2,022,626

Further amend House Bill 482 as substituted on page 72 by striking line 20 and inserting in lieu thereof the following:

Troy State University	6,886,364	12,277,475	19,163,839
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Amend Senate Substitute to House Bill 428 on page 25 in Section 3, Subsection 16 (FF) (i) by inserting on line 9 after the word "follows" and before the word "Teachers" the following:

"Teachers holding PHD or Ed.D. degrees not less than one thousand four hundred seventy-four dollars \$1,474) per annum;"

Amend House Bill No. 482 Page 80 Line 12, by inserting add thereto \$500,000 to replace burned out school in Perry County.

Amend House Bill No. 482 as Substituted page 80 Line 14, by striking out the following words and figures after the word "schools". Providing that \$400,000 of this appropriation be used for the reconstruction of the burned-out Red Level School. Bt it further provided that these funds shall be expended in addition to any funds received from fire insurance proceeds.

Amend House Hill No. 480 Page 80 Line 24, by inserting George C. Wallace State Community College (Dothan) \$2,000,000 for Capital Outlay from the A.S.E.T.F.

Amend H. B. 482 on page 14 under 7(a) on line 23 by striking \$45,000 and inserting in lieu thereof: \$60,000

Amend H. B. 482 p. 25 Subsection (ff) (2) Support Personnel by adding at the beginning of the paragraph on line 22 the following:

"In addition to local salary now received and all local increments due for the 1977-78 school year" . . . change the letter "A" to "a" in the word all and let the remainder of the paragraph remain as is.

Further amend Subsection (3) at the end of the paragraph by adding a new sentence to read as follows:

"This salary increase shall be paid to all lunchroom personnel in addition to the local salary now received and any local salary increments due for the 1977-78 school year."

Amend House Bill 482 on page 77, by adding a new Section "B" as follows:

B. 1. For Fayette County Board of Education for natural disaster and burned out public schools	500,000
For Baldwin County Board of Education for natural disaster and burned out public schools ..	250,000"
For Jefferson County Board of Education for natural disaster and burned out public schools ..	500,000

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Amend page 20 Line 34, by inserting the following:
"16 (aaa)

To be distributed by the State Board of Education for:

\$300,000.00 for the construction of additional classroom for special education pupils by the Tuscaloosa County Board of Education at Northport, Tuscaloosa County, Alabama

Amend Senate Substitute to H. B. 482 as substituted on page 2 line 39 by adding the following:

"2A. Madison County Board of Education:

Source of Funds:

(1) ASETF	100,000	
Total Madison County Board of Education	100,000	100,000

(For reconstruction of burned out and storm damaged buildings)

Amend Senate Substitute to H. B. 482 page 75 line 18 by entering the following:

"(k) Maintenance & Repair 250,000"

Amend Senate Substitute to H. B. 482 as substituted page 80 line 25 by adding the following

"XVI John C. Calhoun State Community College

1. Land Acquisition 175,000"

Amend Senate Substitute to H. B. 482 on Page 16, Line 27 by adding the following:

"For the completion of the Fine Arts Building at Patrick Henry Junior College \$200,000.00"

Amend H. B. 482 as follows:

On page 33, Section 1, after subsection 26, on line 34, insert the following:

27. State Board of Education	300,000	
(a) Prison Education		

Source of Funds:

(1) ASETF	300,000	
Total State Board of Education for Prison Education	300,000	300,000

(To be expended in accordance with Act No. 585, H. 45 of the 1976 Regular Session)

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Amend Senate Substitute to H. B. 482 as Substituted by adding on page 49, line 17 the following new item

22. Alabama Film Commission _____ \$50,000.00

Also on page 49, line 19 change the total for the University of Alabama in Birmingham to reflect this change

Amend Senate Substitute to H. B. 482, page 41, by striking out wherever it appears on line 17 the figure "1,240,575" and inserting in lieu thereof the figure 1,440,575 and by striking out wherever it appears on lines 22 and 23 the figures "1,275,000" and inserting in lieu thereof the figures 1,475,000

Also, by inserting at the end of subsection 3 of subsection C of subsection I of Section 3 on page 41, line 23 the following:

"The above appropriation shall be expended for residency programs as follows:

Anniston	225,000
East End	225,000
Cooper Green	225,000
Montgomery	225,000
Heflin	50,000
Selma	225,000
Gadsden	100,000
Randolph County	200,000
Total	1,475,000

Amend Senate Substitute for House Bill No. 482 as substituted by deleting the figures \$4,582,460 on page 59 of Section 5, paragraph IV B, lines 32 and 37, and inserting in lieu thereof the figures \$4,697,021.

Further amend Section 5 on page 60, line 29, by deleting the figure \$4,753,001 and inserting in lieu thereof the figure \$4,867,562.

Amend Senate Substitute for House Bill No. 482 as substituted on page 80 by adding a new paragraph XIV of Section 6 and renumbering all other sections accordingly.

XVI. Auburn University at Montgomery

1. Capital Improvements _____ \$3,000,000

Further amend line 28 on page 80, by deleting the figure \$9,821,418 and adding in lieu thereof the figure \$12,821,418.

Amend the Senate Substitute to H. B. 482 as substituted by deleting in its entirety Item IV, 11, lines 30 through 36, on page 58 of said bill and inserting in lieu thereof the following:

	ASETF	FEDERAL & OTHER FUNDS	APPRO- PRI- ATION TOTAL
11. Public Service, Research and Extension:			
(a) Public Service			500,000

Source of Funds:

(1) ASETF	500,000	
Total Public Service, Research and Extension	500,000	500,000

Further amend said bill on page 59, line 16, by changing the total for AUBURN UNIVERSITY to reflect the addition of these figures.

Amend Substitute to House Bill 482 by striking subsection V of section 5 and inserting in lieu thereof the following:

"V. Board of Trustees of Jacksonville State University

A. Jacksonville State University

1. Operations and Maintenance:

(a) Instruction	7,140,000
(b) Public Service	61,000
(c) Libraries	1,009,000
(d) Academic Support	418,000
(e) Student Services	811,000
(f) Institutional Support	352,000
(g) Operation and Maintenance of Physical Plant	2,155,891
(h) Scholarships and Fellowships	300,000
(i) Debt Service	489,425

Source of Funds:

(1) ASETF	10,092,532	
(2) State Funds	145,000	
(3) Other Sources	3,798,784	
Total Operations & Maintenance	10,092,532	3,943,784
		12,736,316

2. Gadsden Program:

(a) Instruction	311,468
(b) Public Services	5,000
(c) Libraries	20,000
(d) Academic Support	15,000
(e) Student Services	13,000
(f) Institutional	
(g) Operation and Maintenance of Physical Plant	50,000

Source of Funds:

(1) ASETF	459,468	
(2) Other Sources	105,000	
Total Gadsden Program	459,468	105,000
		414,468

3. Nursing Scholarships:

(a) Scholarships and Fellowships	18,000
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Source of Funds:

(1) ASETF	36,000	
Total Nursing Scholarships	36,000	18,000
(To be expended in accordance with Act No. 2288, 1971 Regular Session.)		

4. Auxiliary Enterprises:

(a) Auxiliary Enterprises		1,327,215
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Source of Funds:

(1) Other Sources	1,327,215	
Total Auxiliary Enterprises	1,327,215	1,327,215
TOTAL JACKSONVILLE STATE UNIVERSITY		
	10,588,000	5,375,999 15,963,999"

Amend the Senate Substitute To H. B. 482, as substituted by adding the following item 14 on page 59:

"14.

(a) Planning and Development for School of Nursing	500,000
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Source of Funds:

(1) ASETF	500,000	
Total Planning and development for School of Nursing	500,000	500,000"

Also, on page 59, line 16, change total Auburn University to reflect the addition of this amendment.

Amend Senate Substitute to H. B. 482, as substituted on page 55, lines 11 through 17, by striking Section 5, IV, 4 in its entirety and inserting new Section 5, IV, 4 as follows:

4. Center for Vocational and Adult
Teacher Education:

(a) Instruction	500,000
-----------------------	---------

Source of Funds:

(1) ASETF	500,000	
Total Center for Vocational & Adult Teacher Education	500,000	500,000

Also, on page 59, line 16 change the total for Auburn University to reflect these changes.

Amend Substitute for H. B. 482 by adding at the end of Section 7 the following:

"6. Jacksonville State University

For equipment and related pro-
gram cost _____ 125,000''

Amend the Substitute for House Bill 482 by inserting on page 77, a new Section: C

For the East Alabama Regional
Child Development Program _____ 425,000

Amend Senate Bill No. 482 as Substituted Page 11 Line 31, by striking out the following words and figures.

"Of the amount appropriated in section (j) above, \$30,000 shall be expended to conduct an independent study of services to the blind in Alabama. This gives authority to the State Department of Education to contract with Management Services Associates, Inc. of Austin, Texas only. It is further provided that no funds shall be expended for the State Dept. of Education Programs until the contract for this study has been let."

	ASETF	Federal and other funds	Appro- priation Total
Section 7			
Alabama A & M University (Cont'd)			
(k) Equipment Purchases _____			138,116
(l) Automotive Equipment _____			83,000
(m) Debt Service _____			491,321
(n) For Capital Outlay and pur- chasing of land _____			600,000
Source of Funds:			
(1) ASETF _____	7,551,132		
(2) Federal Funds _____		3,271,494	
(3) Other Sources _____		5,534,283	
(4) State Funds _____		172,000	
Total Alabama A & M University..	7,551,132	8,977,777	16,528,909

III. Board of Trustees of Alabama State University

A. Alabama State University

1. Operation and Maintenance:

(a) Instruction _____	4,608,030
(b) Libraries _____	757,344
(c) Academic Support (Excl. Libr.) _____	522,090
(d) Student Services _____	868,189
(e) Institutional Support _____	1,307,364
(f) Operation & Maintenance of Physical Plant _____	1,488,642
(g) Scholarships & Fellowships _____	2,893,892
(h) Auxiliary Enterprises _____	2,349,960
(i) Research _____	74,893
(j) Public Service _____	78,851
(k) Debt Service _____	1,294,000

Source of Funds:

(1) ASETF _____	5,936,199
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(2) Federal Funds _____		3,332,836	
(3) Other Sources _____		6,943,020	
(4) State Funds _____		31,200	
Total Alabama State University ____	5,936,199	10,307,056	16,243,255

Amend Senate Substitute to House Bill 482 as substituted by deleting the amount 262,986 in Section 5 I C 4 (Source of Funds: ASETF), line 15, page 51 and inserting in lieu thereof 362,986,

and further amend Section 5 I C 4, Total Center for Enviromental Studies, , line 20, page 51 by deleting the amounts:

	262,986	305,056	568,042
and inserting the amounts:			
	362,986	305,056	668,042
in lieu thereof.			

Further amend Section 5 I C TOTAL UNIVERSITY OF ALABAMA IN HUNTSVILLE line 20 page 52 by deleting the amounts:

	8,608,764	7,885,062	16,493,826
and inserting the amounts:			
	8,708,764	7,885,062	16,593,826
in lieu thereof.			

Amend Senate Substitute to House Bill 482 as substituted by deleting the amount 3,774,180 in Section 5 I C 1 (a) line 23 page 49 and inserting in lieu thereof 4,074,180

and further amend Section 5 I C 1 (h) line 31 page 49 by deleting the amount 1,008,072 and inserting the amount 1,208,072 in lieu thereof.

Further amend Section 5 I C 1 (Source of Funds) ASETF line 7 of page 50 by deleting the amount 4,819,476 and inserting the amount 5,319,476 in lieu thereof.

Further amend Section 5 I C 1 line 11 page 50 by deleting the amounts:

	4,819,476	6,141,630	10,961,106
and inserting the amounts:			
	5,319,476	6,141,630	11,461,106
in lieu thereof:			

Further amend 5 I C TOTAL UNIVERSITY OF ALABAMA IN HUNTSVILLE line 20 page 52 by deleting the following amounts:

	8,608,764	7,885,062	16,493,826
and inserting the amounts:			
	9,108,764	7,885,062	16,993,826

Amend Senate Substitute to H. B. 482, page 25, Section (ff) under Subsection (2), by adding the following sentence:

"This increase will be in addition to all salary increases and increments due."

Further amend on page 25 Section (ff) under Subsection (3) by adding the following sentence:

"This increase will be in addition to all salary increases and increments due."

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I move to amend House Bill Number 482 as amended and substituted on page 5, Section 3, sub-section 5 (a) by adding the following:

“\$150,000 to be used for the Pete Matthews Fire College at Tuscaloosa.”

Amend Senate Substitute to House Bill 482 as substituted on page 72 by adding after Section 6 the following section:

	ASETF	FEDERAL & OTHER FUNDS	APPRO- PRI- ATION TOTAL
School of Nursing:			
7. (a) Instruction			200,000
Source of Funds:			
(1) ASETF	200,000		
Total School of Nursing	200,000		200,000

Further amend House Bill 482 on page 70 by striking line 37 and inserting in lieu thereof the following:

Troy State University	6,446,364	12,277,475	18,723,839
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Amend Senate Substitute to House Bill 482 as substituted on page 72 by adding the following after line 17:

The language on page 35 lines 16 through 23 pertaining to required salary increases to full-time professional staff is not applicable to Section 3, and Section 4 on page 71 and Section 6 on page 72

Amend Senate Substitute to House Bill 482 as substituted on page 66 by striking lines 34, 35 and 36 and substituting in lieu thereof the following:

“The above appropriation shall be expended for residency programs as follows:

Pike County	236,554	
Baldwin County	236,553	
Total	473,107	

I move to amend House Bill No. 482 as amended and substituted on page 2 by adding the following new sub-section following sub-section 2 of Section 3.A. to read as follows and by renumbering subsequent sub-sections:

“3. For the examiners of Public Accounts to be used for the pur- pose of auditing all phases of public education	750,000
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Source of Funds:

(1) ASETF	750,000	
Total Examiners of Public Accounts	750,000	750,000

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Amend Senate Substitute to H. B. 482 as substituted and amended as follows:

On page 19, Section 3A, Subsection 14, after line 33, add a new section as follows, and renumber subsequent sections:

**15. ALABAMA COASTAL AREA
BOARD:**

For generating matching funds; any funds so generated and in direct support of the operations of the Alabama Coastal Area Board, for the public well-being, information and education, as provided by Act No. 534, S. 501 of the 1976 Regular Session, are also hereby appropriated ----- \$30,000

SOURCE OF FUNDS:

State General Fund -----	\$30,000	
TOTAL ALABAMA COASTAL AREA BOARD -----	\$30,000	\$30,000

Amend the substitute for H. B. 482 by inserting on page 77 a new Section B:

for the Division of Maternal and
Child Health ----- \$200,000.00
in the State Public Health Department:

(Provided however, that the above appropriation shall be expended only for the development of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting Federal matching requirements.)

On page 27 at the end of Section 3, Subsection 16, (hh) and as a part of Section add immediately after line 15 the following new item:

“(ii)

1. Attalla City School for capital outlay, said appropriation to be conditional upon condition of Special Education Trust Fund and approval of the Governor ----- \$250,000.00
2. Cherokee County Schools for capital outlay, said appropriation to be conditional upon condition of Special Education Trust Fund and approval of the Governor ----- \$250,000.00”

Amend Senate Substitute to House Bill 482, Section Six, sub-section XIII by striking that sub-section and insert in lieu thereof the following:

“XIII. To the Public School and
College Authority for natural

disaster, burned out public
schools and for public schools in
unsafe or unhealthy condition

\$5,000,000"

Amend Section VI of Substitute for H. B. 482 on page 62 by striking
lines 14 through 32 and substituting in lieu thereof the following:

VI. Board of Trustees of Living-
ton University

A. Livingston University

	ASETF	FEDERAL & OTHER FUNDS	APPRO- PRI- ATION TOTAL
1. Operation and Management			
a. Instructions			1,558,643
b. Libraries			103,010
c. Academic Support (excl. Lib.)...			83,916
d. Student Services			197,654
e. Institutional Support			573,681
f. Operation & Maintenance of Physical Plant			741,677
g. Scholarships and Fellowships...			5,605
h. Auxiliary Enterprises			1,016,169
i. Equipment Purchases			88,211
j. Automotive Equipment			20,000

Source of Funds

(1) ASETF	2,826,554		
(2) Federal Funds		253,930	
(3) Local Funds		1,308,082	
Total Operation and Maintenance....	\$2,826,554	\$1,562,012	\$4,388,566

Amend House Bill No. 482 Page 65 Line 18, by inserting the follow-
ing:

"4. Land Purchases and Building
Renovation

3,200,000

Source of Funds:

(1) ASETF	3,200,000		
Total Land Purchases and Building Renovation	3,200,000		3,200,000

Amend page 65 line 19 by striking out that line and inserting the
following:

"TOTAL UNIVERSITY OF NORTH
ALABAMA

8,928,623

6,771,906

15,700,529

Amend Senate Substitute for H. B. 482 as follows:

On page 77, line 16 add:

The State Department of Education for the State Office of Minority
Business Enterprise

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ASETF	FEDERAL & OTHER FUNDS	APPRO- PRI- ATION TOTAL
25,000	100,000	125,000

Amend Senate Substitute for H. B. 482 as substituted by adding immediately following Section 7 of page 81 the following:

"Section 8.

A. There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,985,000 to be expended under the programmatic area as shown under subsection 13 on page 45. Further amend the bill by transferring from the Special Mental Health Trust Fund \$504,000 to be expended under the programmatic area as shown under subsection 14 on on page 46."

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the sunpport and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258 and 260 of the Constitution in 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools."

Renumber the remaining Sections accordingly.

Amend House Bill No. 482 as substituted Page 80 Line 25, by inserting the following:

XVI. George C. Wallace Commu-
nity College at Hanceville

1. Capital Improvement Program.... \$1,500,000

Amend House Bill 482 as substituted in Section 5, IX on page 67, line 7 by striking out the figure "5,692,420" and inserting in lieu thereof the following:

"5,767,420"

Further amend the bill on page 67, line 15 by striking out the figure "790,083" and inserting in lieu thereof the following:

"840,083"

Further amend the bill on page 67, line 20 by striking out the figure "7,063,066" and inserting in lieu thereof the following:

"7,188,066"

Further amend the bill on page 67, line 24 by striking out the figure "7,063,066 and inserting in lieu thereof the following:

"7,188,066"

Further amend the bill on page 67, line 24 by striking out the figure "11,029,697" and inserting in lieu thereof the following:

"11,154,697"

Further amend the bill on page 67, line 27 by striking out the figure "23,394,683" and inserting in lieu thereof the following:

"23,269,683"

Further amend the bill on page 67, line 31 by striking out the figure "1,707,478" and inserting in lieu thereof the following:

"1,582,478"

Further amend the bill on page 67, line 33 by striking out the figure "1,707,478" and inserting in lieu thereof the following:

"1,582,478"

Further amend the bill on page 67, line 33 by striking out the figure "24,267,593" and inserting in lieu thereof the following:

"24,142,593"

Amend Senate Substitute for H. B. 482, Page 11, Line 25 by inserting the following:

"Dothan-Houston County Association
for Retarded Citizens Center
for the Developmentally Disabled

\$200,000.00

for Capital Outlay from the
ASETF."

I move to amend House Bill No. 482 as substituted and amended on Page 7, by striking out lines 22 - 24 in its entirety and inserting in lieu thereof the following:

"academic year. Persons employed for ten, eleven or twelve months including vocational teachers, and local and State Department of Education professional staff members shall receive pro rata salary increase.

Amend Senate Bill No. 482 as Substituted Page 41 Line 10, by striking out the word "Diabetic" and insert in lieu thereof the word "Diabetes".

Further amend the bill on page 41, line 13, by striking the word "Diabetic" and insert in lieu thereof the word "Diabetes".

A BILL TO BE ENTITLED AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1978.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1978 and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 7, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Improvements" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment Purchases" shall

mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment Purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1978, and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama 1940), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Federal & Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

	ASETF	FEDERAL & OTHER FUNDS	APPRO- PRI- ATION TOTAL
Section 3.			
A. STATE AGENCIES			
I. Council on the Arts and Humanities			
(a) Fine Arts Program			820,000
Source of Funds:			
(1) ASETF	300,000		
(2) Federal and Local Funds		520,000	
Total Council on the Arts and Humanities	300,000	520,000	820,000
2. Birmingham City Board of Education			325,000

Source of Funds:

(1) ASETF	325,000	
Total Birmingham City Board of Education	325,000	325,000
(For reimbursement for construction of Louis Schlossfield School.)		
3. Debt Service		
(a) For the payment of principal and interest due issued by Auburn University (Alabama Polytechnic Institute) pursuant to Constitutional Amendment No. CXX		
	309,880	
(b) For the payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXIX ..		
	309,880	
(c) For the payment of principal and interest due on bonds issued by the University of Alabama Research-Institute pursuant to Constitutional Amendment No. CLVII		
	206,850	
(d) Interest on Endowments:		
For interest on University of Montevallo (Alabama College) Endowment, Estimated ..		
	42,733	
For interest on Auburn University Endowment		
	20,280	
For interest on University of Alabama Endowment		
	61,000	
For interest on Grove Hill Endowment		
	600	
For interest on Public School Fund Endowment:		
Interest on 16th Section lands, Estimated		
	310,000	
Interest on School Indemnity Lands, Estimated		
	90,000	
Interest on Valueless 16th Section lands		
	5,825	
Interest on Surplus Revenue		
	26,764	
Interest on James Wallace Fund		
	275	
Total	557,477	

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Source of Funds:

(1) ASETF	1,384,087	
Total Debt Service	1,384,087	1,384,087

4. Board of Dental Scholarship Awards

(a) Support of Other Educational Activities Program		83,000
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Source of Funds:

(1) ASETF	83,000	
Total Board of Dental Scholarship Awards	83,000	83,000

(To be expended under the provisions of Act No. 793, 1965 Regular Session.)

5. Department of Education

(a) Financial Assistance Program		173,247,059
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The proposed spending plan for the above is as follows:

Minimum Program Fund-Trainable Retarded Children	24,200	
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Vocational Ed	36,665,609	
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(\$300,000 is to be used for capital improvements for Agribusiness Center. \$947,500 is to be used for capital improvements for matching private enterprise funds to complete six area vocational schools on a 50-50 match basis.)

Education Program Management Budget System	70,000	
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Source of Funds:

(1) ASETF	36,759,809	
(2) Federal and Local Funds	136,487,250	
Total Financial Assistance Program	36,759,809	173,247,059

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with a formula adopted by the State Board of Education. The total allocation of vocational teacher units to each county and city board of education shall be at least equal to the number received by the respective board during the preceding fiscal year, providing facilities and enrollment meet minimum state standards.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula.

Any funds appropriated hereinabove in excess of the preceding fiscal year's distribution shall be allocated by priorities to those boards that have less than their entitlement.

Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institutions for contractual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1978, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teacher holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum, Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

(b) Instructional Technical Assistance Program

6,484,008

The proposed spending plan for the above is as follows:

Civil Defense	22,000
Drug Education	181,500
Operation & Maintenance of Department	425,071
Right-to-Read	75,000
Career Education	100,000
Kindergarten Adm	50,000
Minimum Program-Trainable Retarded Children	452,443
National Defense	363,000
Vocational Education	1,143,145
Alabama Learning Resources Center	60,000

Source of Funds:

(1) ASETF	2,872,159		
(2) Federal and Local Funds		3,611,849	
Total Instructional Technical Assistance Program	2,872,159	3,611,849	6,484,008

(The appropriation for Minimum Program-Trainable Retarded Children is the same appropriation as set out in Act No. 67, ap-

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proved June 27, 1963, and shall be expended in accordance with that Act.)

(c) Local Agency Support Program 9,382,277

The prosoped spending plan for the above is as follows:

Coordination of In-School Television 115,637

Driver Education, School Bus Driver Training and Vehicle Safety Inspect 337,535

Operation & Maintenance of Department 254,752

Testing 206,000

Developing, Printing & Publishing Legal & Policy manuals 20,000

Free Textbooks 7,602,500

Plans & Surveys 81,950

Source of Funds:

(1) ASETF 8,618,374

(2) Federal and Local Funds 763,903

Total Local Agency Support Program 8,618,374 763,903 9,382,277

(d) Regulation Program 721,540

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department 223,752

For payment of expenses of Alabama members attending Compact for Education meetings (subject to prior approval of the Superintendent of Education) 5,000

Teacher Certification & Accredited 220,000

Source of Funds:

(1) ASETF 448,752

(2) Federal and Local Funds 272,788

Total Regulation Program 448,752 272,788 721,540

(e) Administrative Services Program 5,684,194

The proposed spending plan for the
above is as follows:

Compact for Education — 15,750
Operation & Maintenance of De-
partment 1,049,630
Telephone Revolving Fund 500,000

Source of Funds:

(1) ASETF	1,565,380		
(2) Federal and Local Funds		4,118,814	
Total Administrative Services Pro- gram	1,565,380	4,118,814	5,684,194
(f) Adult Basic Education Program			3,771,618

The proposed spending plan for the
above is as follows:

Adult Basic Education..... 1,970,745
Community Education — 25,000
Operation & Maintenance of De-
partment 4,255

Source of Funds:

(1) ASETF	2,000,000		
(2) Federal and Local Funds		1,771,618	
Total Adult Basic Education Pro- gram	2,000,000	1,771,618	3,771,618
(g) Continuing Education Program			1,119,703

The proposed spending plan for the
above is as follows:

Operation & Maintenance of De-
partment 4,618
Administration of Private School
Act 45,000

Source of Funds:

(1) ASETF	49,618		
(2) Federal and Local Funds		1,070,085	
Total Continuing Educ. Prog.	49,618	1,070,085	1,119,703
(h) Administration of Post-Second- ary Voc.-Technical Educ. Pro- gram			5,457

The proposed spending plan for the
above is as follows:

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Operation & Maintenance of Department 5,457

Source of Funds:

(1) ASETF 5,457

Total Adm. of Post-Secondary Voc. Tec. Ed. Program 5,457 5,457

(i) Administration of Junior College School System Program 4,093

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department 4,093

Source of Funds:

(1) ASETF 4,093

Total Adm. of Jr. Coll. School System Program 4,093 4,093

(j) Rehabilitation Services Program 30,622,595

Source of Funds:

(1) ASETF 6,270,000

(2) Federal and Local Funds 24,352,595

Total Rehabilitation Services Program 6,270,000 24,352,595 30,622,595

(k) Hemophilia Program 300,000

Source of Funds:

(1) ASETF 300,000

Total Hemophilia Program 300,000 300,000
(As provided for under Act 1181, 1975 Regular Session.)

(l) Homebound Program 2,900,000

Source of Funds:

(1) ASETF 2,900,000

Total Homebound Program 2,900,000 2,900,000

(The above appropriation is to be expended in accordance with Act No. 109, Third Special, 1975, approved May 1, 1975.)

(m) Disability Determination for Social Security Program 6,212,332

Source of Funds:

(1) Federal and Local Funds	6,212,332	
Total Disability Determination for Social Security Program	6,212,332	6,212,332
(n) Crippled Children Services Program		4,909,577

Source of Funds:

(1) ASETF	3,617,900	
(2) Federal and Local Funds	1,291,677	
Total Crippled Children Services Program	3,617,900	1,291,677
(o) Administration Program		163,833

Source of Funds:

(1) Federal and Local Funds	163,833	
Total Administration Program	163,833	163,833
(p) Manpower Development and Employment		4,933,691

The proposed spending plan for the
above is as follows:

Operation & Maintenance of De- partment	14,143
Comprehensive Employment & Training	440,000

Source of Funds:

(1) ASETF	454,143	
(2) Federal and Local Funds	4,479,548	
Total Manpower Development and Employment Opportunities Prog.	454,143	4,479,548
(q) Planning and Coordination Services Prog.		160,000

The proposed spending plan for the
above is as follows:

S o u t h e r n Regional Educ. Board	160,000
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Source of Funds:

(1) ASETF	160,000	
Total Planning & Coordination Services Program	160,000	160,000
(r) Support of State Universities Program		7,623

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The proposed spending plan for the
above is as follows:

Educ. of Dependents of Blind Parents	7,623
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Source of Funds:

(1) ASETF	7,623	
Total Support of State Universities Program	7,623	7,623

(For reimbursement of every State
Institution of Higher Learning,
College, University, or State
Trade School or Junior College,
in which benefits are given to de-
pendents of blind parents under
the provisions of Act No. 281,
1966 Special Session.)

**TOTAL DEPARTMENT OF
EDUCATION**

SOURCE OF FUNDS:

(1) ASETF	66,033,308		
(2) Federal and Local Funds		184,596,292	
Grand Total Department of Educa- tion	66,033,308	184,596,292	250,629,600

6. Alabama School of Fine Arts

(a) Fine Arts Program		640,200
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Source of Funds:

(1) ASETF	500,000	
(2) Federal & Local Funds		140,200
Total Alabama School of Fine Arts	500,000	140,200
		640,200

**7. Alabama Firefighters' Personnel
Standards and Educ. Commission**

(a) Professional and Occupational Licensing & Regulation Program		45,000
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Source of Funds:

(1) ASETF	45,000	
Total Alabama Firefighters' Person- nel Standards and Education Commission	45,000	45,000

8. Health Department

(a) Health Support Svcs. Prog.		500,000
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For immunization of pre-school
children and students and for
public school food sanitation

Source of Funds:

(1) ASETF	500,000	
Total Health Department	500,000	500,000
9. Commission on Higher Educa- tion		
(a) Planning & Coordination Serv- ices Program		353,195
(b) Support of Other Educational Activities Program		1,172,393

Source of Funds:

(1) ASETF	297,000		
(2) ASETF-1202 Commission	280,000		
(3) Federal & Local Funds		948,588	
Total Comm. on Higher Ed.	577,000	948,588	1,525,588

(No salary of any employee of the
Commission shall exceed the
salary paid to the State Super-
intendent of Education.)

(To be expended in accordance
with Act No. 14, 1969 Special
Session.)

10. Alabama Industrial Develop-
ment Training Inst.

(a) Industrial Training Program...	1,714,320
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Source of Funds:

(1) ASETF	1,714,320	
Total Alabama Industrial Develop- ment Tng. Inst.	1,714,320	1,714,320

11. Junior College School System

(a) Junior College Equalization Account	4,000,000
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Source of Funds:

(1) ASETF	4,000,000	
Total Junior College Equalization Account	4,000,000	4,000,000

This appropriation to the Alabama State Board of Education for the Junior College Equalization Account to be used for operation and maintenance of the Junior Colleges listed below is to be distributed on the following formula:

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\$200,000.00 to each Junior College. The remainder of the appropriation is to be allotted to each Junior College in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1976-77 by all the Junior Colleges listed in this appropriation. (Continuing education unit hours shall be excluded.)

(The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Junior College; (15) Snead State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.

(b) Academic Instruction and Institutional Support Program	57,873,586
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Source of Funds:

(1) ASETF	29,050,000	
(2) Federal & Local Funds		6,081,276
(3) State Funds		22,742,310

Total Academic Institution and Institutional Support Program	29,050,000	28,823,586	57,873,586
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For operation and maintenance of the Junior Colleges listed below to be distributed on a formula adopted by the State Board of Education.

(The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.)

Of the above appropriations contained herein in Section 3, paragraph A-11 not more than the sum of \$246,147 may be used by the State Board of Education for administration of the state junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1978, the following salary increases, in addition to salary now received and all salary increments due, shall be granted by ranks to all full-time professional staff: Rank I not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank III not

less than one thousand four hundred seventy-five dollars (\$1,475) per annum; Rank IV not less than one thousand five hundred ninety dollars (\$1,590) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increases.

12. Alabama Law Institute

(a) Support of Other Educational Activities Program		189,000
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Source of Funds:

(1) ASETF	189,000	
Total Alabama Law Institute	189,000	189,000

13. Public Library Service

(a) Public Library Services Program		2,000,000
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Source of Funds:

(1) ASETF	1,656,000	
(2) ASETF for equipment purchases for physically handicapped and blind	144,000	
(3) ASETF for operation of facility	200,000	
Total Public Library Service	2,000,000	2,000,000

14. Marine Environmental Sciences Consortium

(a) Support of other Educational Activities Program		710,000
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Source of Funds:

(1) ASETF	325,000		
(2) Federal and Local Funds		238,000	
(3) University of Alabama		147,000	
Total Marine Environmental Sciences Consortium	325,000	385,000	710,000

15. Medical Scholarships Board

(a) Support of other Educational Activities Program		135,000
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Source of Funds:

(1) ASETF	135,000	
Total Medical Scholarship Board	135,000	135,000

(To be expended under the provisions of Act No. 278, 1965 1st Special Session)

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16. Minimum Program

(a) Financial Assistance Program 480,360,967

Source of Funds:

(1) ASETF	458,484,482		
(2) Public School Fund		17,200,000	
(3) Local Effort		4,676,485	
Total Minimum Program Fund	458,485,482	21,876,485	480,360,967
(aa) To be distributed by the State Board of Education for:			
Local Boards	429,724,253		
Board of Adjustment Awards	150,000		
Teachers Sick Leave	3,287,188		
Teachers Personal Leave	1,157,496		
Hospital-Medical Insurance Assistance	8,939,806		
Instructional Supplies & Materials	9,925,739		
Maintenance	4,500,000		
Sick Leave for Support Personnel	800,000		

The Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax Amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds either State or Federal, which may be designed by the Legislature as a part of the Minimum Program Fund.

(bb) TEACHER UNITS

(1) Special Education

Of the total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-systems, and/or state-wide programs for exceptional children.

All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1976-77 school year.

In addition to the three thousand two hundred fifty (3250) special education units now provided through the minimum program, there is hereby provided in the amount appropriated in Section 3, A, 16, (aa) the sum of fifteen million dollars (\$15,000,000) to be used in the area of special education.* These funds shall be allocated by the State Board of Education on a formula recommended by the State Superintendent of Education and his staff and approved by the State Board of Education. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must be approved by the State Board of Education before such funds are disbursed. The proposals may include any or all of the following, but not limited to: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be approved by the State Board of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Department of Education shall monitor programs to assure that the purposes for which these funds are provided are carried out on the approved plan.

(2) Kindergarten

Two hundred (200) kindergarten units are herewith provided for the phasing in of the kindergarten program. During the specified fiscal year, the number of units shall be allocated to local boards of education so that the number of kindergarten teacher units will be at least equal to the number received by the respective local school boards during the preceding fiscal year. Thereafter, each local board shall receive at least one kindergarten teacher unit. In addition thereto, all local school boards shall receive all kindergarten teacher units now supplied by federal funds if these programs continue to be federally funded.

(3) Support Teachers

It is provided that in addition to all units earned by the local school system under the Minimum Program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expended from local

*The funds to provide for this program are included under the programmatic appropriations of Section 3, A, 16, (aa) Minimum Program and the wording in this section(bb) is for explanation purposes only and is not intended to be construed to be a second funding.

funds for teachers during the school year 1976-77 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to the State Board of Education the implementation of the above provisions by December 31, 1977, and to the Legislature by the first legislative day of the next regular session.

In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1976-77, six hundred fifty (650) are provided for the reduction of the class size in grades 1-6. The Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

(4) Driver Education

The five hundred (500) teacher units provided in Act No. 197, Regular Session, 1976, Section, 3, G, are herewith transferred to the Minimum Program and shall be allocated according to a formula provided by the State Department of Education. The same benefits provided for other minimum program units shall be provided for the driver education units.

(cc) INSTRUCTIONAL SUPPLIES AND MATERIALS

Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is hereinabove appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III, and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. From these funds appropriated from the Alabama Special Educational Trust Fund, each local county and city board of education shall allocate to the schools in their respective systems an amount as set forth hereinabove for each teacher unit in such school. The faculty and principal of each school shall cooperatively develop and recommend to the superintendent the amount to be allocated to each teacher for the operation of the instructional program within the school. Each teacher shall be allocated directly at least one hundred and fifty dollars (\$150) or an amount not less than that teacher received in the preceding fiscal year, whichever is greater, to be encumbered directly by the teacher for materials and supplies for that teacher's students; provided, however, any teacher may sign a waiver releasing said funds for joint purchases within his respective school. No Board of Education shall withhold from any teacher or any school any funds to which they are entitled under the provisions of this Act. The local school board shall approve or disapprove requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In non-required courses local school boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided however, such fees shall be waived for students who cannot afford to pay the fees. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) PERSONAL LEAVE

The appropriation hereinabove made to the Minimum Program provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher earned under the Minimum Program formula to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1978.

(ee) HOSPITAL-MEDICAL INSURANCE

Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance.

Provided further that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified professional employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(ff) SALARY**(1) Certificated Personnel**

It is provided that from the appropriation hereinabove made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1978, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum. These increases are for teachers with one hundred eighty-day contracts. Additional pro rata salary increases shall be granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificate. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

(2) Support Personnel

All full-time employees of city and county boards of education and all full-time employees in the schools under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars

(\$500) per annum. All adult school bus drivers (including teachers who drive buses) shall receive a salary increase of not less than five hundred (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars (\$300) per annum and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

(3) Lunchroom Workers

Of the amount appropriated in Section 3, A, 16, (aa) to the State Board of Education for distribution to local boards the sum of three million eight hundred seventy-three thousand five hundred dollars (\$3,873,500), is allocated for disbursement to local boards of education to provide an increase of five hundred dollars (\$500) to each lunchroom worker in the public schools of the state.

(gg) SICK LEAVE FOR SUPPORT PERSONNEL

The \$800,000 appropriated in Section 3, A, 16(aa) is to provide sick leave for all bus drivers, cafeteria workers and all other full-time, non-certificated personnel employed by city and county boards of education and the schools under their jurisdiction and for the Alabama Institute for Deaf and Blind. The boards of control of city and county school systems and the Alabama Institute for Deaf and Blind shall provide for the payment for all bus drivers, cafeteria workers and all other full-time support personnel who are non-certificated educational employees for absences resulting from sickness, accidents or some other unavoidable cause which prevents such employee from discharging his/her duties, and provided, that any employee not utilizing or being paid for the sick leave in any one year may accumulate days at the rate of one day per month for the months employed and carry over the unutilized days to the next consecutive year or years of employment for the same school system or institution or for any other school system or institution in which the employee may later be employed until he/she shall accumulate a maximum of ninety days. The reasons for granting sick leave shall be the same as those for teachers. No reimbursement shall be paid to any local school board or to the Board of the Alabama Institute for Deaf and Blind unless a substitute has been hired and paid in the absence of any employee who is entitled to sick leave as provided herein.

(hh) In allocating the funds in sub-section (a) the State Board of education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$1,695.57 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$72.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in sub-section (a) Local Boards shall include an allotment for transportation in accordance with the

formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$26,066,490.

The appropriation hereinabove set out for the fiscal year 1977-78 is based on 31,057 teacher units, or as may be adjusted as the result of (bb)(1).

It is provided in the event there are more than 31,057 earned teacher units for the fiscal year 1977-78, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided that in the event that there be less earned teacher units than those set out above than the amount that would have been necessary to pay for these earned teacher units shall not be allotted or paid. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

17. Alabama Peace Officers

Standards and Training Commission

(a) Professional and Occupational Licensing and Regulation Program		50,000
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Source of Funds:

(1) ASETF	50,000	
Total Ala. Peace Officers Stand- ards & Training Comm.	50,000	50,000

(b) Certified Law Enforcement Academy programs:		276,200
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Source of Funds:

(a1) ASETF	276,200	
Jacksonville State Univ.	76,776	76,776
University of Alabama	72,544	72,544
James H. Faulkner Junior College	70,200	70,200
Troy State University (Mtg.)	56,700	56,700
Total Certified Law Enforcement Academy Programs	276,200	276,200

Total Alabama Peace Officers Standards and Training Commis- sion	326,200	326,200
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18. Commission on Physical Fitness

(a) Advisory Services Program		70,000
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(1) ASETF	70,000	
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Total Commission on Physical Fit- ness	70,000	70,000
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REGULAR SESSION**2357****29th Day****19. Post-Secondary Vocational-
Technical Education System****(a) Instruction and Institutional
Support Program** _____**40,358,456****Source of Funds:****(1) ASETF** _____ **25,951,521****(2) Federal and Local Funds** _____ **14,406,935****Total Post-Secondary Vocational-****Technical Educ. System** _____ **25,951,521** **14,406,935** **40,358,456**

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education.

(The above appropriation is to be distributed to the following Vocational Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College-Technical Branch; (7) Carver State Technical Trade School; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Vocational School; (12) Theodore A. Lawson State Community College-Technical Branch; (13) Douglas MacArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnelle State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) Tuscaloosa State Technical College; (25) Walker County State Trade School; (26) George Corley Wallace State Community College-Technical Branch (Selma); (27) George C. Wallace State Community College-Technical Branch (Dothan); (28) George C. Wallace State Technical Community College (Hanceville).

Of the above appropriations contained herein in Section 3, paragraph 19 not more than the sum of \$235,200.00 may be used by the State Board of Education for administration of the Vocational Technical School Program.

Of the amount appropriated above for the fiscal year ending September 30, 1978, the following salary increases shall be granted by ranks in addition to salary now received and all salary increments due to all full-time professional staff: Class B not less than one thousand five hundred seven dollars (\$1,507) per annum; Class A not less than one thousand six hundred sixty dollars (\$1,660) per annum for twelve months employment. The salary schedule for 1977-78 for vocational-technical colleges shall be adjusted by the State Board of Education to make it equal to the salary schedule of junior colleges for 1977-78 for appropriate ranks of certificates. Personnel at vocational-technical colleges shall receive equity adjustments in their salary based on the new salary schedule in addition to the salary increases provided hereinabove.

20. Social Security**(a) For State's share of Social
Security** _____**41,600,000**

Source of Funds:

(1) ASETF	41,600,000	
Total Social Security	41,600,000	41,600,000

21. Alabama Education Study Commission

(a) Advisory Services Program		200,000
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Source of Funds:

(1) ASETF	200,000	
Total Ala. Educ. Study Comm.	200,000	200,000

(To be used for educational studies in accordance with Act No. 15, 1969 Special Session.)

22. Teachers' Retirement System of Alabama

(a) Retirement Systems Program		1,077,959,278
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Source of Funds:

(1) ASETF-Teachers' Retirement System	122,239,600	
(2) ASETF-Teachers' Special Pension Fund	3,131,000	
(3) State and Local Funds		952,588,678
Total Retirement Systems Program	125,370,600	952,588,678 1,077,959,278

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund. Provided that any increase in the above appropriations shall be made only after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

23. State Tenure Commission

(a) Regulation Program		7,500
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Source of Funds

(1) ASETF	7,500	
Total State Tenure Comm.	7,500	7,500

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24. Educational TV Commission

(a) Educational TV Services Program	2,904,655
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Source of Funds:

(1) ASETF	2,005,500		
(2) Federal and Local Funds		899,155	
		899,155	
Total Education TV Comm.	2,005,500	899,155	2,904,655

25. Veterans Education Benefits

(a) Administration of Veterans Affairs Program	975,000
--	---------

Source of Funds:

(1) ASETF	975,000		
	975,000		
Total Veterans Educational Benefits	975,000		975,000

For reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

26. Youth Services

(a) Youth Services Program	7,872,294
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Source of Funds:

(1) ASETF	6,896,171		
(2) Federal and Local Funds		976,123	
		976,123	
Total Youth Services	6,896,171	976,123	7,872,294

(To be expended in accordance with Act No. 816, 1973 Regular Session.)

Section 4.

B. NON-STATE AGENCIES

1. American Legion Auxiliary Scholarship Fund	3,000
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Source of Funds:

(1) ASETF	3,000		
	3,000		
Total American Legion Auxiliary Scholarship Fund	3,000		3,000

2. Birmingham Symphony

(a) Fine Arts Program	95,000
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Source of Funds:

(1) ASETF	95,000	95,000
Total Birmingham Symphony	95,000	95,000

3. Birmingham Training Center for Brain Injured Children

(a) Non-Institutional Treatment and Care Program		29,100
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Source of Funds:

(1) ASETF	29,100	
Total Birmingham Training Center for Brain Injured Children	29,100	29,100

4. Montgomery Institute for Neurological Development

(a) Non-Institutional Treatment and Care Program		25,000
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Source of Funds:

(1) ASETF	25,000	
Total Montgomery Institute for Neurological Development	25,000	25,000

5. Sylacauga Nurses Training School

(a) Support of Other Educational Activities Program		58,000
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Source of Funds:

(1) ASETF	58,000	
Total Sylacauga Nurses Training School	58,000	58,000

(The above includes \$18,000 for Nursing Scholarships.)

(To be expended in accordance with Act No. 2393, 1971 Regular Session.)

Section 5.

COLLEGES, UNIVERSITIES AND SCHOOLS

Of the amount herein appropriated below for each university in Subsections I through X for the fiscal year ending September 30, 1978, in addition to salary now received and all salary increments due at each university in Subsections I through X, the following salary increases shall be granted by ranks to all full-time professional staff: Bachelor's degree personnel not less than one thousand one hundred thirty dollars (\$1,130) per annum; Master's degree personnel not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Master's degree plus 30 semester hours personnel not less than one thousand three hun-

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dred sixty dollars (\$1,360) per annum; Master's degree plus 60 semester hours personnel not less than one thousand four hundred seventy-five dollars (\$1,475) per annum; Doctorate personnel not less than one thousand five hundred ninety dollars (\$1,590) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

**I. Board of Trustees of University
of Alabama**

A. The University

**1. Operations & Maintenance, Ex-
tension, Public Service & Re-
search:**

(a) Instruction	19,827,603
(b) Research	158,777
(c) Public Service	2,860,993
(d) Libraries	1,280,474
(e) Academic Support (excl. Libr.)	3,998,872
(f) Student Services	2,474,052
(g) Institutional Support	5,969,147
(h) Operation & Maintenance of Physical Plant	5,509,843
(i) Scholarships and Fellowships	591,194
(j) Capital Improvements	1,009,534
(k) Debt Service	292,240

Source of Funds:

(1) ASETF	30,025,072		
(2) Other Sources		13,947,657	
Total Operations & Maintenance, Extension, Public Service & Re- search	30,025,072	13,947,657	43,972,729

**2. Gadsden Cooperative Upper
Division Program:**

(a) Instruction	245,503
(b) Capital Improvements	15,000

Source of Funds:

(1) ASETF	175,626		
(2) Other Sources		84,877	
Total Gadsden Cooperative Upper Division Program	175,626	84,877	260,503

**3. Vocational Teacher Training
Education:**

(a) Instruction	350,000
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Source of Funds:

(1) ASETF	350,000		
Total Vocational Teacher Training Education	350,000		350,000

4. Center for Emotionally Disturbed Children:

(a) Academic Support (excl. Libr.) 390,947

Source of Funds:

(1) ASETF 390,947

Total Center for Emotionally Disturbed Children 390,947 390,947

5. Capstone College of Nursing:

(a) Instruction 400,000

Source of Funds:

(1) ASETF 400,000

Total Capstone College of Nursing 400,000 400,000

6. Nursing Scholarships:

(a) Scholarships and Fellowships 18,000

Source of Funds:

(1) ASETF 18,000

Total Nursing Scholarships 18,000 18,000

7. Training of Clinical Psychologists for Mental Health and Correctional Services:

(a) Instruction 64,107

(b) Academic Support (excl. Libr.) 112,607

(c) Capital Improvements 7,650

Source of Funds:

(1) ASETF 100,000

(2) Other Sources 84,364

Total Training of Clinical Psychologists for Mental Health and Correctional Services 100,000 84,364 184,364

8. Family Practice Center:

(a) Academic Support (excl. Libr.) 604,513

(b) Capital Improvements 7,871

Source of Funds:

(1) ASETF 612,384

Total Family Practice Center 612,384 612,384

9. Alabama Museum of Natural History - Mound State Park and Archaeological Office:

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(a) Public Service	163,045
(b) Capital Improvements	6,000

Source of Funds:

(1) ASETF	132,545		
(2) Other Sources		36,500	
Total Alabama Museum of Natural History-Mound State Park and Archaeological	132,545	36,500	169,045

10. College of Community Health
Sciences:

(a) Libraries	101,797
(b) Academic Support (excl. Libr.)	432,334
(c) Instruction	1,139,248
(d) Capital Improvement	22,795

Source of Funds:

(1) ASETF	1,616,174		
(2) Other Sources		80,000	
Total College of Community Health Sciences	1,616,174	80,000	1,696,174

11. Mineral Resources Institute:

(a) Instruction	191,381
(b) Capital Improvements	19,007

Source of Funds:

(1) ASETF	210,388		
Total Mineral Resources Institute....	210,388		210,388

12. Auxillary Enterprises:

(a) Scholarships and Fellowships..	522,828
(b) Capital Improvements	39,462
(c) Auxillary Enterprises	11,120,219

Source of Funds:

(1) Other Sources	11,682,509		
Total Auxillary Enterprises	11,682,509		11,682,509

13. Restricted Funds:

(a) Instruction	8,470,266
(b) Research	1,276,508
(c) Public Service	101,532
(d) Libraries	107,605
(e) Academic Support (excl. Libr.)	108,845
(f) Student Services	341,764
(g) Institutional Support	132,979
(h) Operation and Maintenance of Physical Plant	26,078

(i) Scholarships and Fellowships	2,807,322
(j) Capital Improvements	474,908

Source of Funds:

(1) State Funds	3,728,063	
(2) Federal Funds	8,269,182	
(3) Local Funds	16,442	
(4) Other Sources	1,834,120	
Total Restricted Funds	13,847,807	13,847,807

14. Selma Family Practice

(a) Capital Improvements	100,000
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Source of Funds:

(1) ASETF	100,000	
Total Selma Family Practice	100,000	100,000

15. Hamilton Family Residency

(a) Family Residency Program	200,000
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Source of Funds:

(1) ASETF	200,000	
Total Hamilton Residency	200,000	200,000

16. Public Service, Research, and
Extension Program

100,000

Source of Funds:

(1) ASETF	100,000	
Total Public Service, Research, and Extension Program	100,000	100,000

17. Alabama Educational Television
Program

320,000

Source of Funds:

(1) ASETF	320,000	
Total Alabama Educational Tele- vision Program	320,000	320,000

TOTAL UNIVERSITY OF ALA-
BAMA

34,751,136 39,763,714 74,514,850

B. University of Alabama in Bir-
mingham

1. School of Medicine:

(a) Instruction	11,313,845
(b) Research	17,180,283
(c) Public Service	6,704,500
(d) Libraries	279,300
(e) Academic Support	838,063

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(f) Student Services	352,370
(g) Institutional Support	2,933,219
(h) Operation & Maintenance of Physical Plant	2,933,220
(i) Debt Service	773,000

Source of Funds:

(1) ASETF	12,920,000		
(2) State Funds		1,500,000	
(3) Federal Funds		23,000,000	
(4) Local Funds		500,000	
(5) Other Funds		5,387,800	
Total School of Medicine	12,920,000	30,387,800	43,307,800

2. Diabetic Research and Training Center 875,000

Source of Funds:

(1) ASETF	875,000	
Total Diabetic Research and Train- ing Center	875,000	875,000

3. Family Residency Program

(a) Instruction	1,240,575
(b) Institutional Support	16,575
(c) Operation & Maintenance of Physical Plant	17,850

Source of Funds:

(1) ASETF	1,275,000	
Total Family Residency Program....	1,275,000	1,275,000

The above appropriation shall be
expended for residency programs
as follows:

Anniston	225,000
East End	225,000
Cooper Green	225,000
Montgomery	225,000
Heflin	50,000
Selma	225,000
Gadsden	100,000

4. University College:

(a) Instruction	9,570,238
(b) Research	587,223
(c) Public Service	869,169
(d) Libraries	1,118,756
(e) Academic Support	2,133,102
(f) Student Services	813,873
(g) Institutional Support	1,922,978
(h) Operation & Maintenance of Physical Plant	1,622,298

(i) Scholarships and Fellowship			341,782
Source of Funds:			
(1) ASETF	10,908,531		
(2) Federal Funds		931,897	
(3) Other Sources		7,138,991	
Total University College	10,908,531	8,070,888	18,979,419
5. University Hospital and Clinics:			
(a) Hospital			72,033,743
Source of Funds:			
(1) ASETF	4,400,000		
(2) Other Sources		67,633,743	
Total University Hospital Clinics	4,400,000	67,633,743	72,033,743
6. School of Optometry:			
(a) Instruction			1,815,466
(b) Research			97,475
(c) Public Service			34,116
(d) Libraries			5,088
(e) Academic Support (excl. Libr.)			14,621
(f) Student Services			41,427
(g) Institutional Support			141,338
(h) Operation & Maintenance of Physical Plant			292,424
Source of Funds:			
(1) ASETF	1,708,786		
(2) Federal Funds		168,169	
(3) Other Sources		565,000	
Total School of Optometry	1,708,786	733,169	2,441,955
7. School of Community and Allied Health Resources:			
(a) Instruction			1,258,018
(b) Research			215,154
(c) Public Service			245,529
(d) Libraries			22,782
(e) Academic Support (excl. Libr.)			377,152
(f) Student Services			126,561
(g) Institutional Support			154,405
(h) Operation & Maintenance of Physical Plant			108,843
(i) Scholarships & Fellowships			22,780
Source of Funds:			
(1) ASETF	1,533,724		
(2) Federal Funds		644,500	
(3) Other Sources		353,000	
Total School of Community and Allied Health Resources	1,533,724	997,500	2,531,224

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8. Regional Technical Institute:

(a) Instruction	932,336
(b) Research	117,505
(c) Public Service	213,821
(d) Libraries	15,411
(e) Academic Support (excl. Libr.)	317,842
(f) Student Services	44,305
(g) Institutional Support	138,695
(h) Operation & Maintenance of Physical Plant	146,400

Source of Funds:

(1) ASETF	1,365,565		
(2) Federal Funds		430,000	
(3) Other Sources		130,750	
Total Regional Technical Institute	1,365,565	560,750	1,926,315

9. Joint Health Sciences Program:

(a) Instruction	1,638,787
(b) Libraries	21,100
(c) Academic Support (excl. Libr.)	257,892
(d) Student Services	4,689
(e) Institutional Support	147,702
(f) Operation & Maintenance of Physical Plant	203,969
(g) Scholarships & Fellowships	70,334

Source of Funds:

(1) ASETF	1,733,923		
(2) Federal Funds		213,514	
(3) Other Sources		397,036	
Total Joint Health Sciences Program	1,733,923	610,550	2,344,473

10. Department of Pediatrics:

(a) Instruction	300,000
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Source of Funds:

(1) ASETF	300,000		
Total Department of Pediatrics	300,000		300,000

11. Center for Labor Education and Research:

(a) Public Service	218,542
(b) Institutional Support	28,665
(c) Operation & Maintenance of Physical Plant	15,779

Source of Funds:

(1) ASETF	262,986		
Total Center for Labor Education and Research	262,986		262,986

12. Student Nurses Loans:

(a) Scholarships & Fellowships --- 12,000

Source of Funds:

(1) ASETF ----- 12,000

Total Student Nurses - Loans ----- 12,000 12,000

13. Special Mental Health:

(a) Instruction ----- 1,768,595

(b) Research ----- 384,447

(c) Public Service ----- 88,678

(d) Institutional Support ----- 76,378

(e) Operation & Maintenance of
Physical Plant ----- 79,858

(f) Transfers ----- 587,044

Source of Funds:

(1) Special Mental Health Fund --- 2,985,000

Total Special Mental Health ----- 2,985,000 2,985,000

14. Center for Developmental and
Learning Disorders:

(a) Instruction ----- 1,507,533

(b) Research ----- 8,782

(c) Public Service ----- 1,057,577

Source of Funds:

(1) Special Mental Health Fund --- 504,000

(2) Federal Funds ----- 1,456,051

(3) Local Funds ----- 109,288

(4) State Funds ----- 425,354

(5) Other Funds ----- 79,219

Total Center for Development and
Learning Disorder ----- 2,573,893 2,573,892

15. School of Dentistry:

(a) Instruction ----- 5,444,690

(b) Research ----- 2,262,570

(c) Public Service ----- 1,052,640

(d) Libraries ----- 84,695

(e) Academic Support ----- 725,959

(f) Student Services ----- 48,397

(g) Institutional Support ----- 859,051

(h) Operation & Maintenance of
Physical Plant ----- 1,621,308

(i) Debt Service ----- 94,490

Source of Funds:

(1) ASETF ----- 5,850,000

(2) Federal Funds ----- 4,415,800

(3) Other Sources ----- 1,928,000

Total School of Dentistry ----- 5,850,000 6,343,800 12,193,800

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16. School of Nursing Scholarships:

(a) Scholarships & Fellowships _____ 88,400

Source of Funds:

(1) ASETF _____ 88,400

Total School of Nursing Scholarships _____	88,400	88,400
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17. System Medical Education Program:

(a) Instruction _____ 475,000

Source of Funds:

(1) ASETF _____ 475,000

Total System Medical Education Program _____	475,000	475,000
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18. School of Nursing:

(a) Instruction _____	2,182,924	
(b) Research _____	13,270	
(c) Public Service _____	16,588	
(d) Libraries _____	33,175	
(e) Academic Support _____	361,609	
(f) Student Services _____	53,080	
(g) Institutional Support _____	248,814	
(h) Operation & Maintenance of Physical Plant _____	215,638	
(i) Scholarships & Fellowships _____	192,416	

Source of Funds:

(1) ASETF _____	2,115,316			
(2) Federal Funds _____		675,111		
(3) Other Sources _____		527,087		
Total School of Nursing _____	2,115,316	1,202,198	3,317,514	

19. Health-Related Research and Public Service:

(a) Instruction _____	268,750	
(b) Research _____	244,443	
(c) Public Service _____	1,103,865	
(d) Institutional Support _____	43,000	
(e) Operation & Maintenance of Physical Plant _____	48,500	

Source of Funds:

(1) ASETF _____	1,708,558	
Total Health-Related Research and Public Service _____	1,708,558	1,708,558

(These appropriations under Sub-section B, University of Alabama in Birmingham, are for the un-

restricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursement for patient care activities.)

20. End Stage Renal Disease:

(a) Capital Improvements		800,000
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Source of Funds:

(1) ASETF	800,000	
Total End Stage Renal Disease	800,000	800,000

21. Emergency Medical Training,
Including Mining Emergency
Training and Safety:

(a) Instruction	125,000
(b) Research	50,000
(c) Public Service	40,000
(d) Institutional Support	17,500
(e) Operation & Maintenance of Physical Plant	17,500

Source of Funds:

(1) ASETF	250,000	
Total Emergency Medical Training	250,000	250,000

TOTAL UNIVERSITY OF ALA- BAMA IN BIRMINGHAM	48,582,789	122,099,290	170,682,079
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C. University of Alabama in
Huntsville

1. Operation and Maintenance:

(a) Instruction	3,774,180
(b) Research	1,430,590
(c) Public Service	240,728
(d) Libraries	310,463
(e) Academic Support (excl. Libr.)	240,303
(f) Student Services	399,162
(g) Institutional Support	1,129,697
(h) Operation and Maintenance of Physical Plant	1,008,072
(i) Scholarships and Fellowships	811,928
(j) Auxillary Enterprises	1,315,561
(k) Equipment Purchases	300,422

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Source of Funds:

(1) ASETF	4,819,476		
(2) State Funds		85,494	
(3) Federal Funds		1,964,933	
(4) Other Sources		4,091,203	
Total Operation & Maintenance	4,819,476	6,141,630	10,061,106

2. School of Nursing Scholarship:

(a) Scholarships and Fellowships	18,000
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Source of Funds:

(1) ASETF	18,000	
Total School of Nursing Scholarships	18,000	18,000

(To be expended in accordance with Act 2290, 1971 Regular Session.)

3. School of Primary Medical Care:

(a) Instruction	1,672,833
(b) Public Service	16,720
(c) Libraries	26,518
(d) Academic Support (excl. Lib.)	371,592
(e) Student Services	68,046
(f) Institutional Support	325,543
(g) Operation and Maintenance of Physical Plant	241,370
(h) Scholarships and Fellowships	5,475
(i) Equipment Purchases	51,000

Source of Funds:

(1) ASETF	2,267,652	
(2) Federal Funds		447,445
(3) Other Sources		64,000
Total School of Primary Medical Care	2,267,652	551,445
		2,779,097

4. Center for Environmental and Energy Studies:

(a) Research	273,706
(b) Public Service	194,168
(c) Institutional Support	13,456
(d) Operation and Maintenance of Physical Plant	52,290
(e) Equipment Purchases	34,422

Source of Funds:

(1) ASETF	262,986	
(2) State Funds		49,114
(3) Federal Funds		254,417

(4) Other Sources		1,525	
Total Center for Environmental and Energy Studies	262,986	305,056	568,042
5. Ambulatory Care Center:			
(a) Instruction			527,752
(b) Academic Support			520,524
(c) Institutional Support			64,875
(d) Operation and Maintenance of Physical Plant			74,667
(e) Equipment Purchases			58,442
Source of Funds:			
(1) ASETF	558,168		
(2) Other Sources		688,092	
Total Ambulatory Care Center	558,168	688,092	1,246,260
6. School of Nursing:			
(a) Instruction			527,283
(b) Academic Support (excl. Libr.)			166,510
(c) Institutional Support			77,920
(d) Operation and Maintenance of Physical Plant			137,610
(e) Equipment Purchases			11,998
Source of Funds:			
(1) ASETF	682,482		
(2) Federal Funds		60,000	
(3) Other Sources		178,839	
Total School of Nursing	682,482	238,839	921,321
TOTAL UNIVERSITY OF ALA- BAMA IN HUNTSVILLE	8,608,764	7,885,062	16,493,826
II. Board of Trustees of Alabama A & M University			
A. Alabama A & M University			
1. Operation and Maintenance:			
(a) Instruction			5,081,743
(b) Research			1,189,700
(c) Public Service			1,434,405
(d) Libraries			544,051
(e) Academic support			271,476
(f) Student Services			398,486
(g) Institutional Support			1,773,905
(h) Operations and Maintenance of Physical Plant			1,929,744
(i) Scholarships & Fellowships			80,000
(j) Auxiliary Enterprises			2,512,962
(k) Equipment Purchases			138,116
(l) Automotive Equipment			83,000
(m) Debt Service			491,321

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Source of Funds:

(1) ASETF	6,951,132		
(2) Federal Funds		3,271,494	
(3) Other Sources		5,534,283	
(4) State Funds		172,000	
Total Alabama A & M University	6,951,132	8,977,777	15,928,909

III. Board of Trustees of Alabama State University

A. Alabama State University

1. Operation and Maintenance:

(a) Instruction		4,608,030	
(b) Libraries		757,344	
(c) Academic Support (Excl. Libr.)		522,090	
(d) Student Services		868,189	
(e) Institutional Support		1,307,364	
(f) Operation & Maintenance of Physical Plant		1,488,642	
(g) Scholarships & Fellowships		2,893,892	
(h) Auxiliary Enterprises		2,349,960	
(i) Research		74,893	
(j) Public Service		78,851	
(k) Debt Service		1,294,000	

Source of Funds:

(1) ASETF	5,936,199		
(2) Federal Funds		3,332,836	
(3) Other Sources		6,943,020	
(4) State Funds		31,200	
Total Alabama State University	5,936,199	10,307,056	16,243,255

IV. Board of Trustees of Auburn University

A. Auburn University

1. Operation and Maintenance:

(a) Instruction		29,376,930	
(b) Research		9,105,270	
(c) Public Service		926,467	
(d) Libraries		2,296,142	
(e) Academic Support		947,220	
(f) Student Services		1,676,074	
(g) Institutional Support		1,981,712	
(h) Operation & Maintenance of Physical Plant		5,836,439	
(i) Scholarships & Fellowships		1,800,000	

Source of Funds:

(1) ASETF	30,025,072		
(2) Federal Funds		3,495,000	

(3) Local Funds	760,000	
(4) Other Sources	17,710,902	
(5) State Funds	1,955,280	
Total Operation and Maintenance	30,025,072	23,921,182 53,946,254
2. Instruction, Research and Development:		
(a) Research		7,911,700
(b) Public Services		763,750
(c) Libraries		12,650
(d) Institutional Support		237,900
Source of Funds:		
(1) State Funds	1,935,000	
(2) Federal Funds	3,340,000	
(3) Local Funds	770,000	
(4) Other Sources	2,881,000	
Total Instruction, Research and Development	8,926,000	8,926,000
3. Educational Television:		
(a) Instruction		320,062
Source of Funds:		
(1) ASETF	320,062	
Total Educational Television	320,062	320,062
4. Center for Vocational and Adult Teacher Education:		
(a) Instruction		125,000
Source of Funds:		
(1) ASETF	125,000	
Total Center for Vocational & Adult Teacher Education	125,000	125,000
5. Clinical Psychology:		
(a) Instruction		100,000
Source of Funds:		
(1) ASETF	100,000	
Total Clinical Psychology	100,000	100,000
6. Agricultural Experiment Station:		
(a) Research		13,550,418
Source of Funds:		
(1) ASETF	6,289,803	

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(2) Federal Funds	3,966,085		
(3) Other Sources	3,100,000		
(4) State Funds	194,530		
Total Agricultural Experiment Station	6,289,803	7,260,615	13,550,418

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1978.

The funds provided in this sub-section (a) shall be used for the support of researches, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researches to discover new uses of land; for the provisions of necessary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

7. Wildlife Research:

(a) Research	53,344
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Source of Funds:

(1) ASETF	53,344	
Total Wildlife Research	53,344	53,344

8. Engineering Experimental Station:

(a) Research	506,764
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Source of Funds:

(1) ASETF	506,764	
Total Engineering Experimental Station	506,764	506,764

9. Cooperative Extension Service:

(a) Public Service		15,391,437
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Source of Funds:

(1) ASETF	6,831,234	
(2) Federal Funds		6,896,203
(3) Local Funds		1,510,000
(4) Other Sources		154,000
Total Cooperative Extension Service	6,831,234	8,560,203
		15,391,437

10. Cooperative Extension Service - Retirement:

(a) Public Service		765,773
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Source of Funds:

(1) ASETF	588,313	
(2) Other Sources		177,460
Total Cooperative Extension Service - Retirement	588,313	177,460
		765,773

The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

11. Public Service, Research and Extension:

(a) Public Service		100,000
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Source of Funds:

(1) ASETF	100,000	
Total Public Service, Research and Extension	100,000	100,000

12. Auxiliary Enterprises:

(a) Auxiliary Enterprises		25,033,930
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Source of Funds:

(1) Other Sources	25,033,930	
Total Auxiliary Enterprises	25,033,930	25,033,930

13. Livestock Judging Arena:

(a) Complete Remodeling and Renovating Program		400,000
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Source of Funds:

(1) ASETF	400,000	
Total Livestock Judging Arena	400,000	400,000
TOTAL AUBURN UNIVERSITY	45,339,592	73,879,390
		119,218,982

B. Auburn University at Montgomery

1. Operations & Maintenance:

(a) Instruction	3,821,576
(b) Research	60,188
(c) Public Service	3,369,207
(d) Libraries	740,035
(e) Academic Support	327,602
(f) Student Services	517,605
(g) Institutional Support	222,838
(h) Operation and Maintenance of Physical Plant	592,166
(i) Scholarships and Fellowships	12,000
(j) Debt Service	82,664

Source of Funds:

(1) ASETF	4,582,460	
(2) Federal Funds	3,250,278	
(3) State Funds	109,870	
(4) Other Sources	1,803,273	
Total Operation and Maintenance	4,582,460	5,163,421
		9,745,881

2. Montgomery Area Community Health Science Institute:

(a) Public Service	120,541
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Source of Funds:

(1) ASETF	120,541	
Total Montgomery Area Community Health Science Inst.	120,541	120,541

3. Public Service Research & Extensions (Centers for Business & Public Affairs):

(a) Research	20,000
(b) Public Services	30,000

Source of Funds:

(1) ASETF	50,000		
Total Public Service Research & Extensions (Centers for Business & Public Affairs)	50,000		50,000

4. Auxiliary Enterprises:

(a) Auxiliary Enterprises			1,333,183
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Source of Funds:

(1) Other Sources	1,333,183		
Total Auxiliary Enterprises	1,333,183		1,333,183

TOTAL AUBURN AT MONTGOMERY	4,753,001	6,496,604	11,249,605
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V. Board of Trustees of Jacksonville State University

A. Jacksonville State University

1. Operations and Maintenance:

(a) Instruction			7,140,000
(b) Public Service			61,000
(c) Libraries			1,009,000
(d) Academic Support			418,000
(e) Student Services			811,000
(f) Institutional Support			352,000
(g) Operation and Maintenance of Physical Plant			2,155,891
(h) Scholarships and Fellowships			300,000
(i) Debt Service			489,425

Source of Funds:

(1) ASETF	8,792,532		
(2) State Funds		145,000	
(3) Other Sources		3,798,784	
Total Operations & Maintenance	8,792,532	3,943,784	12,736,316

2. Gadsden Program:

(a) Instruction			311,468
(b) Public Service			5,000
(c) Libraries			20,000
(d) Academic Support			15,000
(e) Student Services			13,000
(f) Institutional			
(g) Operation and Maintenance of Physical Plant			50,000

Source of Funds:

(1) ASETF	309,468		
(2) Other Sources		105,000	
Total Gadsden Program	309,468	105,000	414,468

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3. Nursing Scholarships:

(a) Scholarships and Fellowships... 18,000

Source of Funds:

(1) ASETF 18,000

Total Nursing Scholarships 18,000

4. Auxiliary Enterprises:

(a) Auxiliary Enterprises 1,327,215

Source of Funds:

(1) Other Sources 1,327,215

Total Auxiliary Enterprises 1,327,215

TOTAL JACKSONVILLE STATE UNIVERSITY 9,120,000 5,375,999 14,495,999

VI. Board of Trustees of Livingston University

A. Livingston University

1. Operation and Maintenance:

(a) Instruction	1,489,643
(b) Libraries	99,810
(c) Academic Support (excl. Libr.)	68,616
(d) Student Services	164,654
(e) Institutional Support	565,181
(f) Operation & Maintenance of Physical Plant	707,677
(g) Scholarships and Fellowships.....	5,605
(h) Auxiliary Enterprises	1,016,169
(i) Equipment Purchases	88,211
(j) Automotive Equipment	20,000

Source of Funds:

(1) ASETF 2,663,554

(2) Federal Funds 253,930

(3) Local Funds 1,308,082

Total Operation and Maintenance.... 2,663,554 1,562,012 4,225,566

2. Nursing Scholarships:

(a) Scholarships and Fellowships... 18,000

Source of Funds:

(1) ASETF 18,000

Total Nursing Scholarships 18,000

TOTAL LIVINGSTON UNIVERSITY 2,681,554 1,562,012 4,243,566

VII. Board of Trustees of University of Montevallo

A. University of Montevallo:

1. Operations and Maintenance:

(a) Instruction	2,972,100		
(b) Research	5,500		
(c) Public Service	75,600		
(d) Libraries	219,000		
(e) Academic Support	265,500		
(f) Student Services	317,600		
(g) Institutional Support	617,000		
(h) Operation & Maintenance of Physical Plant	1,229,800		
(i) Scholarships and Fellowships	82,500		
(j) Auxiliary Enterprises	2,260,869		
(k) Capital Improvements	476,888		

Source of Funds:

(1) ASETF	4,425,188		
(2) State Funds		52,510	
(3) Federal Funds		113,790	
(4) Other Sources		3,930,869	
Total Operations and Maintenance	4,425,188	4,097,169	8,522,357

2. School for Aphasic Children:

(a) Instruction	165,872		
(b) Operation and Maintenance of Physical Plant	16,000		

Source of Funds:

(1) ASETF	164,374		
(2) Other Sources		17,498	
Total School for Aphasic Children..	164,374	17,498	181,872

3. Highway Safety Program:

(a) Instruction	95,127		
(b) Operation and Maintenance of Physical Plant	31,921		

Source of Funds:

(1) ASETF	115,714		
(2) Other Sources		11,334	
Total Highway Safety Program ..	115,714	11,334	127,048

TOTAL UNIVERSITY OF MONTEVALLO	4,705,276	4,126,001	8,831,277
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VIII. Board of Trustees of University of North Alabama

A. University of North Alabama:

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1. Operations and Maintenance:

(a) Instruction	4,572,557
(b) Research	42,600
(c) Public Service	45,916
(d) Libraries	516,567
(e) Academic Support (excl. Libr.)	224,258
(f) Student Services	466,106
(g) Institutional Support	1,123,590
(h) Operation & Maintenance of Physical Plant	1,514,120
(i) Scholarships & Fellowships	51,600
(j) Equipment Purchases	78,939
(k) Debt Service	455,000

Source of Funds:

(1) ASETF	5,710,623		
(2) Federal Funds		178,000	
(3) Local Funds		80,000	
(4) Other Sources		3,122,830	
Total Operation and Maintenance..	5,710,623	3,380,630	9,091,253

2. Auxiliary Enterprises:

(a) Auxiliary Enterprises	3,391,276
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Source of Funds:

(1) Other Sources	3,391,276		
Total Auxiliary Enterprises		3,391,276	3,391,276

3. Nursing School Scholarships:

(a) Scholarships & Fellowships	18,000
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Source of Funds:

(1) ASETF	18,000		
Total Nursing School Scholarships	18,000		18,000

(To be expended in accordance with
Act No. 2304, 1971 Regular Ses-
sion.)

TOTAL UNIVERSITY OF NORTH ALABAMA	5,728,623	6,771,906	12,500,529
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**IX. Board of Trustees of Univer-
sity of South Alabama**

A. University of South Alabama:

(a) Instruction	7,402,237
(b) Research	129,439
(c) Public Service	69,094
(d) Libraries	315,789
(e) Academic Support	430,840
(f) Student Services	1,247,196

(g) Institutional Support	1,410,366
(h) Operations and Maintenance of Physical Plant	1,824,534
(i) Scholarships and Fellowships	270,140
(j) Debt Service	1,499,333
(k) Equipment Purchases	551,707
(l) Automotive Equipment	70,500
(m) Capital Improvements	92,000
(n) Transfers	50,000

Source of Funds:

(1) ASETF	8,055,439		
(2) State Funds		50,194	
(3) Federal Funds		565,101	
(4) Other Sources		6,692,441	
Total Operations and Maintenance..	8,055,439	7,307,736	15,363,175

2. Statewide Medical Education:

(a) Instruction	121,115
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Source of Funds:

(1) ASETF	121,115	
Total Statewide Medical Education	121,115	121,115

3. Ambulatory Care:

(a) Academic Support	94,470
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Source of Funds:

(1) ASETF	94,470	
Total Ambulatory Care	94,470	94,470

4. Family Practice Residency
Program:

(a) Instruction	384,833
(b) Operations and Maintenance of Physical Plant	4,000
(c) Equipment Purchases	7,225
(d) Transfers	77,049

Source of Funds:

(1) ASETF	473,107	
Total Family Practice Residency Programs	473,107	473,107

The above appropriation shall be
expended for Remote Family
Practice Centers as follows:
\$473,107.00

5. College of Medicine

(a) Instruction	5,692,420
(b) Research	908,147
(c) Public Service	22,293

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(d) Libraries	383,350
(e) Academic Support	267,919
(f) Student Services	105,368
(g) Institutional Support	539,199
(h) Operations & Maintenance of Physical Plant	790,083
(i) Scholarships and Fellowships	36,380
(j) Equipment Purchases	200,000
(k) Capital Improvements	2,084,538

Source of Funds:

(1) ASETF	7,063,066	
(2) State Funds	402,448	
(3) Federal Funds	775,668	
(4) Other Sources	2,788,515	
Total College of Medicine	7,063,066	3,966,831
		11,029,697

6. University Medical Center:

(a) Medical Center Operations and Maintenance	23,394,683
(b) Equipment Purchases	855,108
(c) Automotive Equipment	17,802

Source of Funds:

(1) ASETF	1,707,478	
(2) Other Sources	22,560,115	
Total University Medical Center	1,707,478	22,560,115
		24,267,593

(The appropriations under Sub-section 6, University Medical Center, are for unrestricted support of Medical Center Operations and Maintenance, and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursement for patient care activities.)

7. Division of Allied Health:

(a) Instruction	380,643
(b) Institutional Support	58,216
(c) Equipment Purchases	50,000
(d) Transfers	27,743

Source of Funds:

(1) ASETF	512,262
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(2) Other Sources		4,340	
Total Division of Allied Health ...	512,262	4,340	516,602
8. School of Nursing:			
(a) Instruction			447,499
(b) Equipment Purchases			20,000
(c) Transfers			54,487
Source of Funds:			
(1) ASETF	409,578		
(2) Federal Funds		21,000	
(3) Other Sources		91,408	
Total School of Nursing	409,578	112,408	521,986
9. Nursing Scholarships:			
(a) Scholarships and Fellowships...			21,355
Source of Funds:			
(1) ASETF	18,000		
(2) Other Sources		3,355	
Total Nursing Scholarships	18,000	3,355	21,355
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)			
10. Auxiliary Enterprises:			
(a) Auxiliary Enterprises			3,800,153
Source of Funds:			
(1) Other Sources		3,800,153	
Total Auxiliary Enterprises		3,800,153	3,800,153
11. Infant and Maternal Care:			
(a) Instruction			50,000
Source of Funds:			
(1) ASETF	50,000		
Total Infant & Maternal Care ...	50,000		50,000
12. End Stage Renal Disease:			
(a) Capital Improvements			50,000
(b) Instruction			25,000
Source of Funds:			
(1) ASETF	75,000		
Total End Stage Renal Disease	75,000		75,000
TOTAL UNIVERSITY OF SOUTH ALABAMA	18,579,515	37,754,738	56,334,253

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X. Board of Trustees of Troy State University

A. Troy State University:

1. Operations and Maintenance:

(a) Instruction	3,926,100
(b) Research	34,270
(c) Libraries	539,130
(d) Academic Support (Excl. Libr.)	61,440
(e) Student Services	604,980
(f) Institutional Support	1,998,800
(g) Operation & Maintenance of Physical Plant	1,262,480
(h) Scholarships & Fellowships	396,100
(i) Public Service	200,000
(j) Auxiliary Enterprises	2,525,530
(k) Capital Improvements	117,369
(l) Automotive Equipment	9,490
(m) Debt Services	243,000

Source of Funds:

(1) ASETF	5,693,364		
(2) Federal Funds		566,580	
(3) Other Sources		5,658,745	
Total Operations & Maintenance...	5,693,364	6,225,325	11,918,689

2. Extension, Public Service and Research:

(a) Public Service	932
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Source of Funds:

(1) Other Sources	932		
Total Extension, Public Service and Research		932	932

3. Operation and Maintenance at Ft. Rucker/Dothan:

(a) Instruction	986,640
(b) Libraries	138,160
(c) Institutional Support	363,270
(d) Auxiliary Enterprises	134,556

Source of Funds:

(1) ASETF	330,000		
(2) Other Sources		1,292,626	
Total Operation & Maintenance at Ft. Rucker/Dothan	330,000	1,292,626	1,622,626

4. Operations and Maintenance in Montgomery:

(a) Instruction	1,259,576
(b) Public Service	118,607

(c) Libraries	29,285
(d) Institutional Support	648,060
(e) Auxiliary Enterprises	182,050

Source of Funds:

(1) ASETF	187,000	
(2) Other Sources		2,050,578
Total Operations and Maintenance in Montgomery	187,000	2,050,578
		2,237,578

5. Nursing Scholarships:

(a) Scholarships and Fellowships...	36,000
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Source of Funds:

(1) ASETF	36,000	
Total Nursing Scholarships	36,000	36,000

(To be expended in accordance
with Act No. 2292, 1971 Regular
Session.)

6. Operations and Maintenance in
Out-of-State:

(a) Instruction	1,378,908
(b) Libraries	20,900
(c) Institutional Support	970,474
(d) Auxiliary	337,732

Source of Funds:

(1) ASETF		
(2) Other Sources	2,708,014	
Total Operations and Maintenance in Out-of-State	2,708,014	2,708,014

TOTAL TROY STATE

UNIVERSITY	6,246,364	12,277,475	18,523,839
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XI. Board of Trustees for Alabama
Institute for Deaf and BlindA. Alabama Institute for Deaf and
Blind:

1. Operation and Maintenance:

(a) Instruction	1,568,033
(b) Libraries	40,938
(c) Student Services	345,784
(d) Institutional Support	135,628
(e) Operation and Maintenance of Physical Plant	1,515,948
(f) Scholarships and Fellowships ..	887
(g) Infirmary Speech and Hearing	121,120
(h) Auxiliary Enterprises	2,114,622

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Source of Funds:

(1) ASETF	3,634,500		
(2) State Funds		79,255	
(3) Federal Funds		1,789,182	
(4) Other Sources		340,023	
Total Alabama Institute for Deaf and Blind	3,634,500	2,208,460	5,842,960

B. Department of Adult Blind and Deaf:

1. Operation and Maintenance:

(a) Instruction		918,965	
(b) Libraries		82,095	
(c) Academic Support (Excl. Libr.)		30,231	
(d) Student Services		646,441	
(e) Institutional Support		247,356	
(f) Operation and Maintenance of Physical Plant		226,142	
(g) Auxiliary Enterprises		5,809,272	
(h) Equipment Purchases		48,554	

Source of Funds:

(1) ASETF	1,380,500		
(2) Federal Funds		1,619,141	
(3) Other Sources		5,009,415	
Total Department of Adult Blind and Deaf	1,380,500	6,628,556	8,009,056

GRAND TOTAL ALABAMA INSTITUTE FOR DEAF AND BLIND	5,015,000	8,837,016	13,852,016
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Also each certificated employee shall be allowed two hundred forty seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan (s) and the carrier (s) of the hospital-medical insurance.

Of the appropriation above three hundred dollars (\$300) per teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and principal shall co-operatively develop a budget for instructional supplies and materials and, based on this budget, recommend to the President the amount to be allotted to each teacher for the operation of the instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section.

Of the amount appropriated above for the fiscal year ending September 30, 1978, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary

increases as follows: Teachers holding Rank "AA" or equivalent certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I or its equivalent teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II or its equivalent teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III or its equivalent teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV or its equivalent teachers not less than nine hundred (\$900) per annum for the regular academic year. Persons employed for ten, eleven or twelve months shall receive an additional pro rata salary increase. All other full-time non-teaching employees of the Institute shall receive a salary increase of not less than five hundred dollars (\$500) per annum.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

(a) Instruction	951,418
(b) Research	64,222
(c) Public Service	17,458
(d) Libraries	70,925
(e) Academic Support (excl. Libr.)	87,182
(f) Student Services	143,456
(g) Institutional Support	302,649
(h) Operation and Maintenance of Physical Plant	263,249
(i) Auxiliary Enterprises	248,109
(j) Equipment Purchases	75,638

Source of Funds:

(1) ASETF	1,145,933		
(2) Federal Funds		177,717	
(3) Other Sources		900,656	
Total Athens State College	1,145,933	1,078,373	2,224,306

Section 6.

Conditional

I. Board of Trustees of University of Alabama:

A. The University

1. Operations & Maintenance Extension, Public Service & Research	112,394
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2. College of Community Health Sciences	7,031
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B. University of Alabama in Birmingham

1. Joint Health Sciences Program	180,172
2. Department of Pediatrics	34,500
3. Health Related Research and Public Service	81,236

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C. University of Alabama in Huntsville	
1. Operation and Maintenance	25,701
2. School of Primary Medical Care	14,537
3. Ambulatory Care Center	8,032
II. Board of Trustees of Alabama A & M University:	
A. Alabama A & M University	
1. Operations and Maintenance ---	14,856
III. Board of Trustees of Alabama State University:	
A. Alabama State University	
1. Operations and Maintenance ---	5,084
IV. Board of Trustees of Auburn University	
A. Auburn University	
1. Operations and Maintenance ---	149,391
B. Auburn University at Montgomery	
1. Operations and Maintenance	9,769
V. Board of Trustees of Jacksonville State University	
A. Jacksonville State University	
1. Operations and Maintenance ---	143,660
VI. Board of Trustees of Livingston State University	
A. Livingston State University	
1. Operations and Maintenance	3,116
VII. Board of Trustees of University of Montevallo	
A. University of Montevallo	
1. Operations and Maintenance	7,074
VIII. Board of Trustees of University of North Alabama	
A. University of North Alabama	
1. Operations and Maintenance	76,887
IX. Board of Trustees of University of South Alabama	
A. University of South Alabama	
1. Operations and Maintenance ---	31,329

2. College of Medicine	34,372
3. University Hospital and Clinic	12,543
X. Board of Trustees of Troy State University	
A. Troy State University	
1. Operations and Maintenance	31,336
XI. State Board of Education	
A. Athens State College	
1. Operations and Maintenance	52,520
B. Junior College School System	
1. Academic Instruction & Institutional Support Program	177,939
C. Post-Secondary Vocational-Technical Education System	
1. Instruction and Institutional Support Program	117,939
XII. Marine Environmental Sciences Consortium	
1. Support of Other Educational Activities Program	50,000
XIII. To the Public School and College Authority for natural disaster and burned out public schools	5,000,000
XIV. In addition to the appropriations to the Minimum Program in Section 3, subsection 16, there is hereby appropriated the sum of \$2,000,000 for other current expenses to be allocated to local boards of education on the minimum program formula in the same manner as other current expense funds are now allocated	2,000,000
XVI Chattahoochee Valley Community College	
1. Capital Improvement Program....	1,500,000
Source of Funds:	
(1) ASETF	9,821,418
Total Conditional Appropriations..	9,821,418
The above appropriations are conditional upon the condition of the Alabama Special Educational	

Trust Fund and with the approval of the Governor.

Section 7. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

1. University of Alabama at Huntsville

For equipment and related program cost 125,000

2. University of Alabama at Tuscaloosa

For equipment and related program cost 100,000

3. University of South Alabama

For equipment and related program cost 125,000

4. George C. Wallace Community College at Dothan

For equipment and related program cost 120,000

5. Gadsden State Junior College

For equipment and related program cost 125,000

Section 8. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefor; provided, that all appropriations and funds made available to the University of Alabama, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 9. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall either maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation.

Section 10. The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 11. This Act shall become effective on October 1, 1977.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Kilian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—88

On motion of Mr. Merrill, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 482.

The Speaker of the House names as the Committee on Conference on the part of the House, Messrs. Merrill, Manley and Owens.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 487. To provide salary increases for certain state employees; and to appropriate funds therefor.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House concurred in and adopted the Senate amendment to the bill, H. 487, said Senate amendment being as follows:

Amend Section 1 of H. B. 487 by adding on line 35 immediately following the sentence, "All such increases shall be in addition to the salary received by such employees" the following words.

"Any employees receiving a salary increase under H. B. 218 & H. B. 1134 of the 1977 Legislature shall not be entitled to any additional salary increase provided by the provisions of this bill.

Amend Section 1 of House Bill 487 by deleting therefrom on line 26 the following words and figures:

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"five hundred twenty dollars (\$520)" and add in lieu thereof the following words and figures:

seven hundred eighty dollars (\$780)

Further amend Section 1 of House Bill 487 by deleting therefrom on line 29 the following words and figures:

"five percent (5%)"

and add in lieu thereof the following words and figures:

seven and one-half percent (7½%)

Yeas 88; Nays 2.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—88

Nays: Messrs. Harrison and McNair.

—2

And the bill, H. 487 as thus amended, was again read at length and passed.

Yeas 90; Nays 2.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—90

Nays: Messrs.: Harrison and McNair.

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 643. To authorize the State of Alabama to levy and collect, in addition to all other taxes heretofore imposed by law, an excise and

privilege tax on every person severing coal, bauxite, or lignite within the State of Alabama; to provide that the proceeds collected therefrom be deposited with the Department of Revenue and that thereafter (1) a portion of said tax be distributed to the governing body of the county within which such severance occurred; (2) a portion of said tax be distributed to the governing body of the municipality within the police jurisdiction or municipal limits of which such severance occurred in an amount based on the tax collected on the severance of coal, bauxite, or lignite within such police jurisdiction or municipal limits; to establish procedures for the distribution of such funds by the Department of Revenue; to authorize the Department of Revenue or its authorized agents to inspect the relevant books of each person severing coal, bauxite, or lignite and to make such reasonable rules and regulations as may be necessary to enforce and collect the tax imposed by this Act; to prohibit, and make null and void, the enactment and implementation by county, municipal or other taxing authorities severance taxes inconsistent with or additional to the provisions of this Act and to effect the repeal of any laws previously passed authorizing the implementation or enactment of any such tax; and to prescribe penalties for the violations of the provisions of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Biddle, the House concurred in and adopted the Senate amendment to the bill, H. 643, said Senate amendment being as follows:

Amend House Bill No. 643 by striking out after the word "coal" found on page 1, line 4, 10, 22, 28, and 32 and page 2, lines 15, 26, and 28, page 3, line 1, 3, 6, 9, 13, 15, and 25 and page 4, line 9, 12, and 16 the following:

bauxite.

Amend House Bill No. 643, last Page, Section 7 as amended by inserting after the words and figures "Act No. 906, H. 1867, 1975 Regular Session (Acts 1975, p. 1803)" the following

"; as amended by Act No. 368, S. 262, Regular Session of 1976."

Yeas 75; Nays 3.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Hill, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Leonard, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—75

Nays: Messrs.: Boles, McNair and Robertson,

—3

And the bill:

H. 643. To authorize the State of Alabama to levy and collect, in addition to all other taxes heretofore imposed by law, an excise and

privilege tax on every person severing coal, or lignite within the State of Alabama; to provide that the proceeds collected therefrom be deposited with the Department of Revenue and that thereafter (1) a portion of said tax be distributed to the governing body of the county within which such severance occurred; (2) a portion of said tax be distributed to the governing body of the municipality within the police jurisdiction or municipal limits of which such severance occurred in an amount based on the tax collected on the severance of coal, or lignite within such police jurisdiction or municipal limits; to establish procedures for the distribution of such funds by the Department of Revenue; to authorize the Department of Revenue or its authorized agents to inspect the relevant books of each person severing coal, or lignite and to make such reasonable rules and regulations as may be necessary to enforce and collect the tax imposed by this Act; to prohibit, and make null and void, the enactment and implementation by county, municipal or other taxing authorities severance taxes inconsistent with or additional to the provisions of this Act and to effect the repeal of any laws previously passed authorizing the implementation or enactment of any such tax; and to prescribe penalties for the violations of the provisions of this Act.

Was again read at length and passed.

Yeas 79; Nays 6.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Hill, Hilliard, Hines, Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—79

Nays:

Messrs.: Boles, Hall, Harrison, Leonard, McNair and Smith (B).

—6

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 218. To regulate further the compensation of certain public officers; to provide for such a salary adjustment for Alabama state troopers and police communications officers as will bring the salaries of these employees of the Department of Public Safety to a level approximating the average salary of like employees in the Southeastern United States; to make an appropriation to implement this act; and specifically to provide that this act shall operate to increase the compensation only of those officers named herein and shall not affect the compensation of any other public officer; and to repeal conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Owens, the House non-concurred in the Senate amendment to the bill, H. 218, said Senate amendment being as follows:

Amend H. B. 218 as follows:

In the title, page 1, lines 34-37, delete the words and phrases, "and specifically to provide that this act shall operate to increase the compensation only of those officers named herein and shall not affect the compensation of any other public officer;"

On page 2, delete section 4 entirely and renumber the remaining sections accordingly.

Yeas 82; Nays 5.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes (D), Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Warren, Weeks, Whatley, Williams and Younce.

—82

Nays:

Messrs.: Clark, Glass, Moore (O), Waggoner and Wyatt.

—5

On motion of Mr. Owens, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 218.

The Speaker of the House named as the Committee on Conference on the part of the House Messrs. Owens, Carothers and McMillan.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 295. Relating to the thirteenth judicial circuit; providing for an additional circuit court judge in such circuit and prescribing the duties, authority, and compensation of such judge.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Sonnier, the House concurred in and adopted the Senate amendment to the bill, H. 295, said Senate amendment being as follows:

Amend House Bill 295, Section 2, line 29, page 1, by striking the word and figures "Sections 158 and 159" where they appear therein and substituting in lieu thereof the word and figure "Section 153".

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Further amend the bill by striking Section 5 in its entirety and substituting in lieu thereof the following:

"Section 5. This act shall become effective on November 8, 1977."

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Buskey, Callahan, Campbell, Carter, Clark, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Hines, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—69

And the bill, H. 295 as thus amended, was again read at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—75

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 830. Relating to all counties having a population of not less than 90,000 nor more than 100,000 according to the 1970 or any subsequent federal decennial census; to further amend Section 4 of Act No. 809, H. 1274, 1965 Regular Session (Acts of 1965, p. 1511), as amended, relating to the administrative consultant to the circuit clerk so as to increase the annual salary of the person holding office as an administrative consultant to the circuit clerk of such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Ford, the House concurred in and adopted the Senate amendment to the bill, H. 830, said Senate amendment being as follows:

In Section 2, page 1, line 33, following the figure "\$8,000" insert the following language:

' subject to the prior approval by a majority of the county governing body upon recommendation of the chairman thereof, which, if approved, shall be

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Cross, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holmes (D), Hopping, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Morris, Pegues, Plaster, Quarles, Reed, Rich, Robertson, Sandusky, Shelton, Smith (B), Smith (J), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Wyatt and Younce.

—68

And the bill, H. 830 as thus amended, was again read at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holmes (D), Hopping, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Robertson, Sandusky, Shelton, Smith (B), Smith (J), Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Warren, Weeks, Whatley, White, Wyatt and Younce.

—67

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1228. Relating to Dale County; to provide that the county commission, with the approval of the county engineer, shall regulate the planning and construction of all public streets, public roads and drainage structures and require proper placement of public utilities to be located in proposed subdivisions of land or in proposed additions to subdivisions of land existing at the time of the enactment of this Act where such subdivisions are situated outside the corporate limits of any municipality in such county provided that such placement of public utilities shall not be inconsistent with the Southern Standard Building Code, State and Federal laws and regulations of State and Federal regulatory agencies; to further provide for exercise of jurisdiction by counties over proposed subdivisions within the jurisdiction of municipal planning commissions and to provide for agreement of jurisdiction by counties with affected municipalities.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Williams, the House concurred in and adopted the Senate amendment to the bill, H. 1228, said Senate amendment being as follows:

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Amend H. 1228 by inserting the word "not" between the words "were" and "in" on page 3, line 12.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cooper, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holmes (D), Johnstone, Kelley, Kennedy, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Trammell, Turnham, Venable, Warren, Weeks, Whatley, White and Younce.

—63

And the bill, H. 1228 as thus amended, was again read at length and passed.

Yeas 63; Nays 1.

Yeas:

Mr. Speaker, Armstrong, Baker, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holmes (D), Hopping, Johnstone, Kelley, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Trammell, Turnham, Venable, Weeks, Whatley, White, Wyatt and Younce.

—63

Nay: Mr. Biddle.

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1234. Relating to St. Clair County; to provide that all clerks in the probate judge's office shall be empowered to accept applications for voter registration at any time the probate office is open for business.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mrs. Quarles, the House concurred in and adopted the Senate amendment to the bill, H. 1234, said Senate amendment being as follows:

Amend H. 1234 as follows:

On page 1, line 15, by inserting, after the word "business", the following:

; and to direct the county governing body to provide an additional clerk for said probate offices

Also, on page 1, after line 28, by inserting the following new section:

Section 3. In order to meet the increased workload resulting from the foregoing provisions hereof, the governing body of St. Clair County shall provide an additional clerk for the probate office to be appointed by, and serve at the pleasure of, the probate judge.

Also, by renumbering subsequent sections accordingly.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Baker, Buskey, Callahan, Campbell, Carter, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Trammell, Venable, Weeks, White, Williams, Wyatt and Younce.

—63

And the bill:

H. 1234. Relating to St. Clair County; to provide that all clerks in the probate judge's office shall be empowered to accept applications for voter registration at any time the probate office is open for business; and to direct the county governing body to provide an additional clerk for said probate offices.

As thus amended, was again read at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Buskey, Callahan, Campbell, Carter, Clark, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Trammell, Venable, Waggoner, Weeks, White, Williams, Wyatt and Younce.

—65

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1149. To provide for the establishment of a merit system for certain county and municipal law enforcement officers in Escambia County, Alabama, and a merit system board governing the removal and official conduct of such officers; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hines, the House concurred in and adopted the Senate amendment to the bill, H. 1149, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the establishment of a merit system for certain county and municipal law enforcement officers in Escambia County, Alabama, and a merit system board governing the removal and official conduct of such officers; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this act shall be applicable to all county law enforcement officers in Escambia County, Alabama, and to all municipal law enforcement officers of all municipalities in such county, except those municipalities whose governing bodies, within thirty days after the effective date of this act, elect that such city shall not be covered by this act. Any municipal governing body making such an election shall immediately file a notice thereof with the Escambia County Commission; and thereafter this act shall not apply to such municipality's law enforcement officers.

Section 2. As used in this act, unless the context clearly requires a different meaning: "county" means Escambia County, Alabama; "employee" means any law enforcement officer who is employed either by the county or by an incorporated municipality within the county unless such municipality has elected not to be covered by this act; "law enforcement officer" shall mean and include a policeman, policewoman, detective and other officials who have authority to make arrests, and who are employed by the county or an incorporated municipality within the county as a permanent or regular employee for and subject to law enforcement duties; "merit employee" means any such employee who shall have completed his six months of probationary employment; "board" means the merit system board created by this act; "appointing authority" means in the case of employees in the offices of the elected officials of the municipality or county, such elected officials, and means, in the case of all other municipal or county employees, the municipal or county governing body, or the municipal or county board or other agency supervising their work.

Section 3. The provisions of this act shall apply to all law enforcement officers in the service of Escambia County or any incorporated municipality therein except those municipalities which have elected not to be covered by this act and have filed notice of such election as prescribed in Section 1 of this act, except: (a) persons holding elective offices; (b) members of appointive boards, commissions, and committees; (c) independent contractors; and (d) any person whose employment is subject to the approval of the United States government or any agency thereof.

Section 4. All employees to whom the provisions of this act apply shall be governed by merit system rules and regulations prescribed in or promulgated pursuant to this act, administered by the merit system board, the creation of which is provided for in Section 5 hereof. Present such employees shall remain in their respective employments during good behavior; but nothing herein shall be construed to prevent or pre-

clude the removal of such an employee for cause in the manner herein-after provided; and such employees shall be subject fully to the provisions of this act.

Section 5. There is hereby created the law enforcement officers merit system board of Escambia County, Alabama, which shall be composed of three members appointed by the Escambia County Commission. The following groups shall each submit the names of three nominees to said Commission:

1. All law enforcement employees of the several incorporated municipalities in Escambia County, except those municipalities in which this act does not apply.

2. All law enforcement employees of the Escambia County sheriff's department and all law enforcement employees of boards, agencies or elected officials of Escambia County.

3. The County Commission.

Original appointees shall serve for terms of two (2) years, four (4) years and six (6) years, respectively, or until their successors are appointed. Thereafter, all appointees shall serve for a period of six (6) years or until their successors are appointed. Initial terms of office shall be determined by drawing names after nominees have been appointed. No person shall be appointed to the board who is not a resident and qualified elector of Escambia County and over the age of twenty-one years.

Members of the board shall take the constitutional oath of office, which shall be filed in the office of the probate judge. Vacancies on the board shall be filled for the unexpired term of the vacant position in the same manner as original appointments. The county commission shall have power to establish rules and regulations governing the removal of members of the board. The board members shall elect a chairman and secretary from among their number. Any members of the board who becomes a candidate or is elected or appointed to another public office of profit, vacates his office as a member of the board.

Section 6. Each member of the board shall be paid a salary to be set by the Escambia County Commission.

Section 7. The board shall fix the times for its regular meetings; and it may hold special, adjourned or call meetings at any time. A majority of the board members shall constitute a quorum for the transaction of business. All meetings of the board shall be held in the Escambia County courthouse. The board may prescribe rules governing its procedure not inconsistent with the provisions of this act.

Section 8. The board shall keep complete minutes of its meetings and a record of all business transacted by it. Its records, except those which the rules of the board require to be held confidential for reasons of public policy, shall be open for inspection by any resident of the county during regular business hours at the county courthouse.

Section 9. The board shall have power to: (1) classify the different types of services to be performed in the service of the county; (2) prescribe qualifications, including those of education, training and experience for the appointees and incumbents of each class; and (3) allocate each position in the service to its proper class.

The salary to be paid in each classification shall be determined by the Escambia County Commission.

Section 10. All appointments, other than temporary appointments, shall be probationary for six months from the date of appointment. A probationary employee may be discharged by his appointing authority at his or its pleasure at any time before the expiration of six months from his appointment. After he shall have served for six months in the position to which he was appointed or employed such employee shall become a merit employee.

Section 11. An appointing authority, shall have authority to suspend without pay a merit employee for any personal misconduct, or fact, affecting or concerning his fitness or ability to perform his duties in the public interest. In the event a merit employee is suspended without pay for more than thirty days in any one year, he shall be entitled to a public hearing by the merit system board upon written demand filed within five days from the date of the order of suspension. If, after hearing the board, determines that the action of the appointing authority was not with good cause, the suspension shall be revoked.

Section 12. a) The governing body of the municipality or county, any member of such governing body, or the head of any department or office of such municipality or county can remove, discharge, or demote any merit employee who is directly under such governing body, member thereof, or department head, provided that within five days a report in writing of such action is made to the board, giving the reason for such removal, discharge or demotion. The employee shall have ten days from the time of notification of his discharge, removal, or demotion in which to appeal to the board. If such appeal be filed, the board shall thereupon order the charges or complaint to be filed forthwith in writing, if not already filed, and shall hold a hearing de novo on such charges. No merit employee shall be removed, discharged or demoted except for some personal misconduct or fact rendering his further tenure harmful to the public interest, or for some cause affecting or concerning his fitness or ability; and if such removal, discharge or demotion is appealed to the board, then the same will become final only upon affirmation by the board after a hearing upon written charges or complaint has been had and after an opportunity has been given such employee to face his accusers and be heard in his own defense. Pending a hearing on said appeal, the affected employee may be suspended; and after such hearing the board may order said employee reinstated, demoted, removed, discharged, or suspended, or take such other disciplinary action as in their judgment is warranted by the evidence and under the law. In all cases the decision of the board shall be reduced to writing and entered in the record of the case and shall include the board's finding of facts upon which its decision is based. In all proceedings before the board, the county attorney shall appear and prosecute all charges instituted by the municipal or county governing body or any member thereof or by any department head, when requested or directed to do so by such municipal or county governing body. In all proceedings before the board, when directed by the municipal or county governing body to do so, the county attorney shall appear and represent the interest of the municipality or county and give such legal advice and legal assistance to the board as may be requested by it.

The board shall have the power to administer oaths, take depositions, certify officials acts, and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in connection with any hearing, investigation, or proceeding within the purview of this act. The sheriff or some other law enforcement officer of the county shall serve all processes of the board. In case a person refuses to obey such subpoena, the board may invoke the aid of the cir-

cuit court of Escambia County, Alabama, in order that the testimony or evidence be produced. Upon proper showing, such court shall issue a subpoena or order requiring the person to appear before the board and produce all evidence and give all testimony relating to the matter in issue. A person who fails to obey such subpoena or order may be punished by the circuit court as prescribed by law for contempt. The fees of witnesses for attendance and travel shall be the same as fees for witnesses in the circuit court of Escambia County, Alabama, which fees shall be paid from the treasury of the county.

b) Any person aggrieved by a decision of the board may appeal such decision to the circuit court of Escambia County within thirty days from the rendition of such decision by the board. Review by the circuit court shall be confined to the record, and to a determination of the questions of law presented; the board's findings of fact shall be final and conclusive.

Section 13. No employee shall make, solicit or receive any assessment, donation, subscription or contribution for any political purpose whatsoever, or be a member of a committee or an officer of a political party, or take any part in its management or affairs except to exercise his right as a citizen to express his opinion and cast his vote; no employee shall assist any candidate for nomination or election to public office, or make any public statement in support of or against any such candidate or participate in any manner whatever in the campaign of any candidate in any general or primary election; and no employee shall receive any appointment or advancement as a reward for his support of a candidate for office or a political party; nor shall he be dismissed, suspended or reduced in rank or pay as punishment for his failure to support any candidate for political office.

Section 14. The compensation and all other expenses of the board arising under the provisions hereof shall be paid from funds of the county on the claims of the merit system board in the same manner as other county salaries and expenses are paid; such claims of the merit system board shall be subject to review by the Escambia County Commission.

Section 15. Any merit employee who wilfully violates any of the provisions of this act, or any rule or regulation issued in pursuance hereof, shall be dismissed from service under the system and shall not be reappointed or re-employed for two years.

Section 16. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 17. All laws or parts of laws which conflict with this act are hereby repealed.

Section 18. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Crawford, Cross, Drake, Falkenburg, Folmar, Gafford, Goodwin, Greer, Hall, Hill, Hilliard, Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Lockett, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore

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(W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Trammell, Venable, Weeks, White, Williams, Wyatt and Younce.

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And the bill, H. 1149 as thus amended, was again read at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Crawford, Cross, Drake, Falkenburg, Folmar, Gafford, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Trammell, Venable, Waggoner, Weeks, White, Williams, Wyatt and Younce.

—62

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1035. To amend the title and sections 2 and 3 of Act No. 481, H. 1193, 1976 Regular Session (Acts of 1976, p. 597), entitled "To regulate the registration and identification of certain trailers in all counties having a population of not less than 60,000 nor more than 65,000 inhabitants according to the 1970 or any subsequent federal decennial census and prescribe penalty for violations", so as to change the method of identification, to increase the penalty for failing to pay registration fee at the proper time, to provide for the allocation or revenue received from such penalty, to replace the term house trailer with mobile home and to properly number the sections.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham, the House concurred in and adopted the Senate amendment to the bill, H. 1035, said Senate amendment being as follows:

Amend House Bill No. 1035 by striking out the figures 65,000 wherever they appear in the bill and inserting in lieu thereof the figures 68,000

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Albright, Brindley, Buskey, Campbell, Carothers, Carter, Clark, Crawford, Drake, Falkenburg, Folmar, Gafford, Glass, Goodwin, Hall, Hilliard, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Weeks, White, Williams, Wyatt and Younce.

—60

And the bill:

H. 1035. To amend the title and sections 2 and 3 of Act No. 481, H. 1193, 1976 Regular Session (Acts of 1976, p. 597), entitled "To regulate the registration and identification of certain trailers in all counties having a population of not less than 60,000 nor more than 68,000 inhabitants according to the 1970 or any subsequent federal decennial census and prescribe penalty for violations", so as to change the method of identification, to increase the penalty for failing to pay registration fee at the proper time, to provide for the allocation of revenue received from such penalty, to replace the term house trailer with mobile home and to properly number the sections.

As thus amended, was again read at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker, Baker, Brindley, Buskey, Campbell, Carothers, Carter, Clark, Crawford, Cross, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Hall, Hilliard, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Weeks, Whatley, White, Williams, Wyatt and Younce.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 549. Synopsis. To amend Section 2 of Act No. 929, H. 1822, Regular Session 1975 (Acts 1975, p. 3) relating to amendment of the retirement system of the City of Prichard by changing the effective date of said act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Kennedy, the House concurred in and adopted the Senate amendment to the bill, H. 549, said Senate amendment being as follows:

Amend H. B. 549 by adding to the bill the following title:

"To amend Section 2 of Act No. 929, H. 1822, Regular Session 1975 (Acts 1975, p. 3) relating to amendment of the retirement system of the City of Prichard by changing the effective date of said act."

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Brindley, Buskey, Callahan, Campbell, Carter, Clark, Crawford, Cross, Drake, Falkenburg, Folmar, Gafford, Glass, Goodwin, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lockett, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues,

Plaster, Quarles, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Turnham, Venable, Weeks, White, Williams, Wyatt and Younce.

—56

And the bill:

H. 549. To amend Section 2 of Act No. 929, H. 1822, Regular Session 1975 (Acts 1975, p. 3) relating to amendment of the retirement system of the City of Prichard by changing the effective date of said act.

As thus amended, was again read at length and passed.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Brindley, Buskey, Callahan, Campbell, Carter, Clark, Crawford, Cross, Drake, Falkenburg, Folmar, Gafford, Glass, Goodwin, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lockett, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Weeks, White, Williams, Wyatt and Younce.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1134. To provide for a pay increase for sworn law enforcement officers with full peace officer authority in the service of the state, and to appropriate necessary funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Naramore, the House concurred in and adopted the Senate amendment to the bill, H. 1134, said Senate amendment being as follows:

Amend House Bill 1134 on page 1, Section 1, on line 19, between the word "Resources" and the subsequent "comma" by inserting the following words:

including Game Refuge Managers

Amend House Bill 1134 on page 1, Section 1, on line 19, between the word "Resources" and the subsequent "comma" by inserting the following words:

including law enforcement officers in the Department of Industrial Relations and Fire Marshalls

Amend House Bill 1134 on page 1, Section 1, on line 19, between the word "Resources" and the subsequent "comma" by inserting the following words:

including law enforcement officers in the Forestry Department.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Barron, Boles, Brindley, Buskey, Callahan, Campbell, Carter, Clark, Coburn, Cross, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Holmes (D), Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Warren, Weeks, White, Williams, Wyatt and Younce.

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And the bill, H. 1134 as thus amended, was again read at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Barron, Boles, Brindley, Campbell, Carter, Clark, Coburn, Cross, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Harris, Harrison, Holmes (D), Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Warren, Weeks, White, Williams, Wyatt and Younce.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1355. To provide for an increase in pay and mileage allowance for members of the Board of Registrars, Board of Equalization and Jury Commission in all counties with a population of 15,400 to 15,625. All such increases are to be paid from the county general fund.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Rich, the House concurred in and adopted the Senate amendment to the bill, H. 1355, said Senate amendment being as follows:

Amend H. B. 1355 by inserting a title to read as follows:

"To provide for an increase in pay and mileage allowance for members of the Board of Registrars, Board of Equalization and Jury Commission in all counties with a population of 15,400 to 15,625. All such increases are to be paid from the county general fund."

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Brindley, Buskey, Campbell, Carter, Clark, Cross, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin,

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Harris, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Owens, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Shelton, Smith (B), Sonnier, Sparks, Starkey, Turnham, Venable, White, Williams, Wyatt and Younce.

—55

And the bill:

H. 1355. To provide for an increase in pay and mileage allowance for members of the Board of Registrars, Board of Equalization and Jury Commission in all counties with a population of 15,400 to 15,625. All such increases are to be paid from the county general fund.

As thus amended, was again read at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Brindley, Buskey, Campbell, Carter, Clark, Cross, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Harris, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McNeas, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Shelton, Smith (B), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Weeks, White, Williams, Wyatt and Younce.

—60

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Mitchell:

S. J. R. 354. COMMEMORATING THE LATE C. W. CLAYBROOK OF LUVERNE, ALABAMA.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, S. J. R. 354, on the Clerk's desk for one legislative day.

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Smith (C) would have voted "Yea" on the Senate amendment to the bill, H. 1134, had he been in the Chamber at the time of voting.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs.: Bank Shelby and McDonald (A):

S. J. R. 356. MOURNING THE DEATH OF DR. WALTER B. JONES, FORMER STATE GEOLOGIST.

WHEREAS, the Legislature of Alabama is deeply saddened by the death of Dr. Walter Bryan Jones on May 3, 1977, at his home in Huntsville, Alabama, at the age of 82; and

WHEREAS, Dr. Jones, who was a native of Huntsville, was a recognized geological authority and served as state geologist for 34 years from 1927 until his retirement in 1961; and

WHEREAS, he was awarded an undergraduate degree from the University of Alabama in 1918, without examination, due to his outstanding scholastic record, also received his Master's Degree from the University of Alabama and received his doctorate in geology from Johns Hopkins University; he worked in Mexico for the Mexican Eagle Petroleum Corporation, was an instructor at the University of North Carolina, returned to his native state in 1924 to work as assistant state geologist with Dr. Eugene Alan Smith, state geologist, and assumed that position himself in 1927; he also served as supervisor of the Alabama Oil and Gas Board and had been in that position for five years when oil was first discovered in Alabama in 1944; and

WHEREAS, Dr. Jones was an amazing prophet in the development of the natural resources of this state, predicting the discovery of many mineral and ore deposits in this state, and particularly predicting the discovery of large deposits of oil and gas in South Alabama, long before the actual events; and

WHEREAS, Dr. Jones has given much to this nation, having served in the U. S. Army, Corps of Engineers, with valor and honor in World Wars I and II and his eldest son, Nelson, was killed in action in World War II; and

WHEREAS, Dr. Jones was steadfastly and unselfishly dedicated to the pursuit of his profession, after using his own money to feed deserving colleagues during the depression of the 1930's, and to preserve and restore Indian burial grounds, particularly those at Moundville State Park near Tuscaloosa; and

WHEREAS, he had been a director of the Alabama Museum of Natural History, president of the American Institute of Mining and Metallurgical Engineers, a charter member of the Society of American Military Engineers, a vice president of the Southeastern Geological Society, a fellow in the Geological Society of America and the American Association for the Advancement of Science, and a life member of the National Speleological Society and the American Geophysical Society; he further authorized innumerable publications related to his field; and

WHEREAS, he was a lifetime sportsman and loved the great outdoors, working hard to further and promote the goals and projects of Ducks Unlimited; he was one of the first directors of the Alabama Department of Conservation in 1939 and 1940; and

WHEREAS, he was always engaged in many charitable and civic projects giving generously of his time and many talents, and was a member of many civic and charitable organizations including the Masons, Kiwanis Club, and was an Elder in the Presbyterian Church; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do grievously mourn the death of Dr. Walter B. Jones, a man of uncommon ability and rare generosity of heart and spirit, and extend our most heartfelt sympathy to his family.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his wife, Mrs. Hazel Phelps Jones, his sons, Warren Jones and Dr. Douglas Jones, that they may know of our deep regret in the loss of their husband and father who was one of the truly great citizens of this Sovereign State.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, S. J. R. 356, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs.: McDonald (S) and Ellis:

S. J. R. 355. NAMING SENATE BILL 33 "THE ST. JOHN AND LEE ACT"

WHEREAS, Senator Finis St. John and Representative Jimmy Lee have spent many hours and much energy and have worked long and hard in the drafting and in the passage of Senate Bill 33; and

WHEREAS, Senate Bill 33 is the first attempt in Alabama history to provide a truly systematic and comprehensive penal policy for the State which long has been overdue; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Senate Bill 33 of the Regular Session of 1977 be designated and known as "The St. John and Lee Act."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 355, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Gilmore:

S. J. R. 358. COMMENDING MRS. THERECIA ROY, LUNCH-ROOM MANAGER AT McADORY SCHOOL.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Armstrong, the House concurred in and adopted the resolution, S. J. R. 358, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 9. To provide a comprehensive Correctional Incentive Program based on incentive for good conduct and work performed in the general operation of the prison and in prison industrial, agricultural, educational and work-release programs or other bona fide rehabilitative programs; to establish definitive criteria for qualification; to establish definitions for classifications under which sentence reductions may be earned; to prescribe for the loss of correctional incentive sentence reductions; to provide limitation of sentence reductions; to provide for notification of inmates; to provide certain responsibilities of the Board of Corrections and the State Board of Pardons and Paroles; and to repeal specific and conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gregg, the House concurred in and adopted, the Senate amendment to the bill, H. 9, said Senate amendment being as follows:

Amend H. B. 9 by adding the following new Classification 1 on Page 4 under Section 6 and renumbering the remaining Classifications as required:

"Classification 1. Inmates causing disruption in prison, those in segregation for reasons other than to provide for their protection and security, and those otherwise violating rules and regulations will earn no correctional incentive time. The commissioner of corrections shall keep written records regarding each inmate's conduct and shall specify the date the inmate is placed in or removed from Classification 1. Detailed information shall specify in what way an inmate has violated the rules and regulations causing him to be placed in this classification."

Further amend H. B. 9, Page 6, Lines 4 and 5 by deleting the following:

"The Board of Corrections shall, for the purpose of correctional incentive time, shall classify all inmates within one of the five above listed classifications."

and inserting in lieu thereof the following:

"The Board of Corrections shall classify all inmates within one of the six listed classifications."

Amend House Bill No. 9, as substituted Page 3 Lines 22-31, by striking out all words and phrases after the word "served"

Amend House Bill No. 9, as substituted Page 7 Line 16, by inserting after the word "repealed" the following

"Sentence reductions which have been earned by inmates under former laws repealed by this act shall remain, but be limited to accumulation of time earned prior to the effective date of this act."

Amend House Bill No. 9, as substituted Page 4 Line 18, by striking out the word "ten" and substituting in lieu thereof the word "fifteen;"

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and on Page 4 Line 32, by inserting the words "and one half" after the word "one"; and on Page 5, Line 8, by inserting the words "and one half" after the word "one"; and on Page 5, Line 17, by striking out the word "ten" and substituting therefor the word "fifteen".

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Campbell, Carter, Clark, Coburn, Drake, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonad, Lewis, Lockett, McCluskey, McCulley, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Plaster, Quarles, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Wyatt and Younce.

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And the bill, H. 9 as thus amended, was again read at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Callahan, Campbell, Carter, Clark, Coburn, Drake, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Plaster, Quarles, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Wyatt and Younce.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 778. To create the office of governor's councillor; to prescribe the duties and functions of such officer and to regulate and provide for payment of his compensation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Drake, the House concurred in and adopted the Senate amendment to the bill, H. 778, said Senate amendment being as follows:

Change the period on line 19, page 1, to a semicolon and add the following phrase: "and to give the provisions of this Act retroactive effect."

Delete Section 6, page 2, in its entirety and substitute the following:

"Section 6. The provisions of this Act shall be effective retroactively to December 1, 1976."

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A BILL
TO BE ENTITLED
AN ACT

To create the office of governor's councillor; to prescribe the duties and functions of such officer and to regulate and provide for payment of his compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the office of governor's councillor. Every person who shall have been elected to the office of Governor of Alabama for two terms or more and who shall have attained age 60 may be entitled to become a governor's councillor upon his application to the Governor and upon the Governor's certifying his employment as such councillor. A councillor shall hold office at the pleasure of the Governor.

Section 2. It shall be the duty of a governor's councillor, upon the request of the Governor, to provide such aid, counsel, advice, and assistance as the Governor may require or direct. All reports, advice, counsel, or recommendations of a councillor shall be confidential and privileged and shall not be divulged or revealed by a councillor to anybody except the Governor.

Section 3. A councillor shall be entitled to compensation payable from the state treasury at the same times and in the same way that the Governor's salary is paid which shall be in the amount of \$18,000 (eighteen thousand dollars) per annum.

Section 4. This Act shall automatically expire and have no force and affect immediately upon the adoption of a constitutional amendment providing or authorizing retirement or pensions for former governors if any such constitutional amendment should be proposed in the future.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker, Albright, Brindley, Buskey, Callahan, Cates, Coburn, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Harris, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Kelley, Kennedy, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Wyatt and Younce.

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And the bill:

H. 778. To create the office of governor's councillor; to prescribe the duties and functions of such officer and to regulate and provide for payment of his compensation; and to give the provisions of this Act retroactive effect.

As thus amended, was again read at length and passed.

Yeas 57; Nays 15.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Brindley, Buskey, Callahan, Cates, Crowe, Drake, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Kelley, Kennedy, Lutz, McCluskey, McCulley, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Turnham, Waggoner, Warren, Weeks, White and Wyatt.

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Nays:

Messrs.: Campbell, Carter, Clark, Folmar, Killian, Kinsey, Lee, Leonard, Lockett, Manley, Riddick, Smith (C), Smith (M), Venable and Whatley.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 615. To repeal Section 8 of Act No. 1695, H. 2263, 1971 Regular Session (Acts of 1971, p. 2852), entitled, "An Act Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census, to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's Department in said counties."

said Governor's Message bein in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor concerning Senate Bill Number 615 and containing an Executive Amendment.

Respectfully submitted,

HENRY B. STEAGALL, II,
Executive Secretary.

Done this 27 day of April 1977.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

At the request of the sponsor, I am returning herewith Senate Bill Number 615 with the following suggested Executive Amendment.

It is suggested that you amend Section 1, beginning on page two, line 14, by deleting the following language:

"The vacation leave and sick leave privileges of all members of the Sheriff's Department are to be determined by Act No. 791, H. 923, Regular Session 1969 (Acts of Alabama 1969, p. 1421) except that the provision for sick leave are hereby altered to allow an accumulation of such leave up to a sixty (60) day maximum per year,"

The adoption of the above will remove my objection to this bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 615, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25 Nays 0.

And said Bill, S. B. 615, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, S. B. 615, together with the Executive Amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Greer, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 615, said Governor's amendment being set out in the above and foregoing Message from the Senate

Yeas 66; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Callahan, Campbell, Carter, Clark, Coburn, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hill, Hines, Holmes (A), Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Lee, Lockett, Lutz, McCluskey, McCulley, McNeas, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Waggoner, Warren, Weeks, Whatley, White, Wyatt and Younce.

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And the bill, S. 615, as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

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Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Callahan, Campbell, Carter, Clark, Coburn, Cooper, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Lee, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Wyatt and Younce.

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MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bill Number 361, and containing a suggested Executive Amendment.

Respectfully submitted,

HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 3 DAY OF MAY, 1977.

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 361 without my approval and with the following suggested Executive Amendment.

It is suggested that on Page 2, line 6, after the word, "of" you insert the words, "no more than two".

The adoption of the foregoing Executive Amendment will remove my objection to this Bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Folmar, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 361, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cross, Falkenburg,

Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Holley, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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And the bill:

H. 361. To amend further Section 91 of Title 36, Code of Alabama (1940), which authorizes the Director of the Highway Department to issue special permits for movement of certain oversized and overweight vehicles and loads on the state highway system and to collect fees for the issuance of such permit.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cross, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 698. To appropriate monies from the Alabama Special Educational Trust Fund for support of "Opportunities Industrialization Centers" designed to enable certain economically disadvantaged, unemployed and underemployed persons to secure and retain employment at their maximum capacity and to prescribe regulations applicable to the expenditure of such monies.

Also:

H. 503. To name the new National Guard Armory in Troy, Alabama the "Ralph Wyatt Adams National Guard Armory."

Also:

H. 1158. Amending Title 30, Section 40 of the Code of Alabama, 1940, relating to the establishment of foreign trade zones so as to authorize county and municipal governing bodies and private and public corporations to establish and operate such zones at all ports of entry with the State of Alabama.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Gafford:

H. J. R. 572. TO CREATE AND PROVIDE FOR A CONTINUING INTERIM TAX STRUCTURE COMMITTEE.

WHEREAS, there is great need for a continuing and on-going study of the various and diverse taxes levied by the State of Alabama and the revenues they produce; and

WHEREAS, such a continuous study is absolutely essential to study, sift, digest and disseminate this vital information to the members of the Alabama Legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a tax structure committee which shall be a continuous and on-going interim committee of the Alabama Legislature. Said committee shall meet during the interim between regular and special sessions and at such times during the sessions as are deemed necessary to conduct a careful investigation and study of the financial condition of the State, the needs for tax revenues by the various agencies and programs of the State and the revenues produced by the many and varied taxes levied by the State of Alabama. The committee shall report its findings to the Alabama Legislature in both oral and written reports from time to time as they deem wise and necessary.

The committee shall be composed of four members of the House and three members of the Senate to be chosen by the presiding officer of their respective houses and the chairman of the Senate standing committee on finance and taxation and chairman of the House standing committee on ways and means who shall serve on the committee ex officio. The committee shall hold an organizational meeting and shall establish its rules for procedure and conduct and shall choose its chairman and vice chairman.

The chairman of the committee, or in his absence the vice chairman, shall set the schedule and program for committee work. He shall fix the days and hours of meetings and of conducting hearings and examining witnesses who appear before the committee. He may appoint subcommittees and invest them with such authority as it is deemed necessary to conduct the subcommittee's business and expedite its work. The Secretary of the Senate and the Clerk of the House shall furnish clerical assistance and staff as may be required by the chairman of the committee.

The members of the committee shall be paid the same compensation, per diem and expenses as they receive while in legislative session on those days when they meet or when they attend to the business of the committee. Each committee member shall receive mileage expenses for the actual mileage traveled on the business of the committee. The payment of all compensation and expenses under this resolution shall be paid from funds appropriated to the use of the Legislature; provided, however, that such expenses shall not exceed \$10,000.00 for each fiscal year.

The resolution, H. J. R. 572, was read and referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 33. Relating to certain positions in the State Department of Revenue, providing that the salaries to be paid to such positions shall be the same as that paid to the positions of Attorney III Supervisor.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 487. To provide salary increases for certain state employees; and to appropriate funds therefor.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED
MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Harris to suspend the rules in order to take up out of order the bill, S. 222, was lost.

Yeas 28; Nays 36.

Yeas:

Messrs.: Armstrong, Barron, Buskey, Carter, Cates, Clark, Folmar, Ford, Goodwin, Hall, Harris, Hill, Holmes (A), Holmes (D), Johnstone, Killian, Lee, Leonard, Lockett, McNair, Martin, Morris, Plaster, Reed, Taylor, Turnham, Warren and Wyatt.

Nays:

Mr. Speaker, Baker, Callahan, Campbell, Coburn, Cross, Falkenburg, Gafford, Greer, Jackson (F), Jolly, Kelley, Kennedy, Lutz, McCulley, McNees, Manley, Merrill, Moore (O), Moore (W), Naramore, Owens, Pegues, Quarles, Rich, Roberts, Sandusky, Sasser, Smith (B), Smith (M), Sonnier, Sparks, Weeks, Whatley, White and Younce.

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And the bill:

S. 540. To re-enact and to amend further Act No. 519, H. 1172 of the 1975 Regular Session (Acts of Alabama, 1975, Vol. II, p. 1165), which relates to the power of boards of education in counties having populations of not less than 90,000 nor more than 100,000 inhabitants, to borrow money for capital outlay purposes, so as to delete provisions in such acts relative to the distribution of the revenues derived from the tax on malt or brewed beverages and the provisions for establishment of an advisory council, and to regulate further the procedure for obtaining loans and the time within which the loan must be repaid.

Was taken up.

SUBSTITUTE OFFERED

Mr. Rich offered the following substitute to the bill, S. 540:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act 519, H. 1172 of the 1975 Regular Session (Acts 1975, p. 1165) entitled "Relating to all counties having a population of 90,000 to 100,000 inhabitants according to the most recent Federal Decennial Census; to provide that all county boards of education in such counties, shall have the power to borrow against revenues derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such counties, at any time in the future vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed and its becoming effective upon its signing by the Governor or it otherwise becoming law."

Be It Enacted by the Legislature of Alabama:

Section 1. Act 519, H. 1172 of the 1975 Regular Session (Acts 1975, p. 1165) entitled "Relating to all counties having a population of 90,000 to 100,000 inhabitants according to the most recent Federal Decennial Census; to provide that all county boards of education in such counties, shall have the power to borrow against revenues derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such counties, at any time in the future vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed and its becoming effective upon its signing by the Governor or it otherwise becoming law," is hereby repealed.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 48; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Baker, Brindley, Buskey, Callahan, Campbell, Clark, Coburn, Falkenburg, Ford, Gafford, Goodwin, Greer, Hall, Harris, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Kennedy, Killian, Lee, Leonard, Lutz, McCluskey, McCulley, McNees, Moore (O), Owens, Plaster, Quarles, Reed, Rich, Sandusky, Shelton, Smith (B), Sonnier, Starkey, Taylor, Turnham, Waggoner, Warren, Whatley, White, Wyatt and Younce.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present

The Clerk reported that there was a quorum present.

And the bill, S. 540 as thus amended, was read a third time at length and passed.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Brindley, Buskey, Callahan, Campbell, Cates, Clark, Cross, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Kennedy, Killian, Lee, Lutz, McCluskey, McCulley, McNees, Manley, Merrill, Moore (O), Owens, Pegues, Plaster, Quarles, Reed, Rich, Sandusky, Shelton, Smith (B), Smith (M), Sonnier, Starkey, Taylor, Turnham, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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MOTION TO SUSPEND RULES

Mr. Hill offered the motion to suspend the rules in order to take up out of order the bill, S. 11.

DIVISION OF THE QUESTION

Mr. White called for the Division of the Question, and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mr. Hill to suspend the rules in order to take up out of order the bill, S. 11, and the motion was lost, lacking a four-fifths vote.

Yeas 36; Nays 16.

Yeas:

Mr. Speaker, Albright, Armstrong, Brindley, Campbell, Clark, Coburn, Cross, Folmar, Goodwin, Greer, Hall, Harrison, Hill, Hines, Holmes (A), Holmes (D), Howard, Killian, Lee, Leonard, McCulley, McNair, McNees,

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Martin, Merrill, Morris, Reed, Shelton, Smith (B), Sparks, Trammell, Venable, Waggoner, Warren and Wyatt.

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Nays:

Messrs.: Gafford, Jackson (F), Lewis, Manley, Moore (O), Moore (W), Naramore, Owens, Pegues, Roberts, Sasser, Smith (C), Smith (M), Turnham, Weeks and White.

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RESOLUTION

The following resolution was introduced:

By Messrs. Brindley, Taylor, Rich and Ford:

H. R. 573. CONGRATULATING WINNERS OF THE ETOWAH COUNTY 4-H PUBLIC SPEAKING CONTEST.

WHEREAS, the Etowah County 4-H Public Speaking contest is highly competitive and drew fourteen contestants this year; and

WHEREAS, the winners of the top honors for the 1977 contest were Mike French and Mary Beth Owens; and

WHEREAS, Mike, a sixth grader at West End School, is the twelve-year-old son of Mr. and Mrs. W. F. French of Walnut Grove; and

WHEREAS, Mary Beth, a fifth grader at John S. Jones School, is the eleven-year-old daughter of Mr. and Mrs. Robert E. Owens of Gadsden; and

WHEREAS, these two bright and articulate young people bring much pride to their communities and will represent Etowah County in the district one contest to be held in Cullman in June, 1977; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do extend our heartiest congratulations to Mike French and Mary Beth Owens on winning the coveted Etowah County 4-H Public Speaking Contest and wish them success in their future endeavors.

BE IT FURTHER RESOLVED, That the Clerk of the House is directed to send copies of this resolution to Mike French and Mary Beth Owens and their respective 4-H Clubs.

On motion of Mr. Brindley, the rules were suspended and the resolution, H. R. 573, was adopted.

SPECIAL ORDER RESUMED

And the bill:

S. 105. Providing further for the residency requirement at institutions of higher learning for any student if one of the student's parents or legal guardians is either an employee of a United States Senator or Congressman representing this state or an officer or employee of the Executive Branch of the federal government on appointment by the President of the United States.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Barron, Biddle, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn,

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Cross, Crowe, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kennedy, Killian, Lee, Leonard, Lewis, Lutz, McCulley, McMillan, McNair, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, White, Wyatt and Younce.

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And the bill:

S. 19. Proposing an amendment to the Constitution of Alabama further amending Section 144, Article VI, of the Constitution of Alabama; providing for a Probate Court in each county, with general jurisdiction of orphans' business, and adoptions, and with power to grant Letters Testamentary, and of Administration and of Guardianships, and such further jurisdiction as may be provided by law.

Was taken up.

AMENDMENT OFFERED

Mr. Lutz offered the following amendment to the bill, S. 19:

Amend S. 19, Section 1, Page 2, line 8 by striking the word "orphans'" and substituting the word "orphans"

AMENDMENT TABLED

On motion of Mr. Manley, the amendment offered by Mr. Lutz to the bill, S. 19, was tabled.

Yeas 57; Nays 12.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Buskey, Callahan, Carothers, Carter, Cates, Clark, Coburn, Cooper, Cross, Crowe, Dial, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Hines, Holmes (A), Jackson (F), Johnstone, Kennedy, Lee, Lewis, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Rich, Riddick, Roberts, Sandusky, Sasser, Smith (C), Smith (M), Sonnier, Sparks, Taylor, Tucker, Waggoner, Warren, Weeks, White, Williams and Younce.

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Nays:

Messrs.: Barron, Brindley, Hall, Harris, Holmes (D), Leonard, Lockett, McNair, Plaster, Quarles, Smith (B) and Wyatt.

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MOTION TO RECESS LOST

The motion offered by Mrs. Quarles that the House recess for two hours was lost.

Yeas 27; Nays 52.

Yeas:

Mr. Speaker, Armstrong, Barron, Biddle, Buskey, Crowe, Dial, Gafford, Greer, Harrison, Holley, Kennedy, Killian, McCulley, McNair, McNees, Manley, Moore (O), Morris, Quarles, Robertson, Smith (M), Sparks, Turnham, Warren, Whatley and White.

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Nays:

Messrs.: Albright, Baker, Boles, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cross, Folmar, Ford, Glass, Goodwin, Hall, Harris, Hill, Holmes (D), Hopping, Howard, Johnstone, Jolly, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, Martin, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Riddick, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Sonnier, Starkey, Trammell, Venable, Waggoner, Williams, Wyatt and Younce.

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S. 19 RESUMED

And the bill, S. 19, was read a third time at length and passed.

Yeas 67; Nays 17.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Buskey, Callahan, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Greer, Hill, Holley, Jackson (F), Johnstone, Kennedy, Kinsey, Lee, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Sandusky, Shelton, Smith (J), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—67

Nays:

Messrs.: Barron, Campbell, Gregg, Hall, Harrison, Holmes (A), Holmes (D), Howard, Leonard, Lutz, McNair, Quarles, Sasser, Smith (B), Smith (C), Smith (M) and Whatley.

—17

MOTION TO RECESS LOST

The motion offered by Mr. Clark that the House recess for two hours was lost.

Yeas 36; Nays 50.

Yeas:

Mr. Speaker, Andrews, Armstrong, Barron, Biddle, Clark, Cross, Dial, Falkenburg, Gafford, Glass, Gregg, Harrison, Holley, Holmes (A), Holmes (D), Killian, McCulley, McNair, McNees, Manley, Martin, Mitchem, Moore (O), Reed, Roberts, Robertson, Smith (J), Smith (M), Sparks, Trammell, Tucker, Turnham, Warren, Whatley and White.

—36

Nays:

Messrs.: Albright, Baker, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Folmar, Ford, Goodwin, Greer, Hall, Harris, Hill, Hopping, Howard, Johnstone, Jolly, Kennedy, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, Merrill, Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Riddick, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Starkey, Taylor, Venable, Waggoner, Weeks, Williams, Wyatt and Younce.

—50

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 218. To regulate further the compensation of certain public officers; to provide for such a salary adjustment for Alabama state troopers and police communications officers as will bring the salaries of these employees of the Department of Public Safety to a level approximating the average salary of like employees in the Southeastern United States; to make an appropriation to implement this act; and specifically to provide that this act shall operate to increase the compensation only of those officers named herein and shall not affect the compensation of any other public officer; and to repeal conflicting laws.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Littleton, Owen, and Fine.

McDOWELL LEE,
Secretary.

REPORT OF CONFERENCE COMMITTEE
ON H. B. 218

We, the Committee on Conference appointed to reconcile the difference between the two Houses concerning House Bill 218, have met, considered the matter, and agreed to the attached substitute bill.

Conferees on part of the House
WALTER OWENS
JOE CAROTHERS, JR.
JOHN McMILLAN

Conferees on part of the Senate
L. D. OWEN, JR.
JOE FINE
OBIE J. LITTLETON

A BILL
TO BE ENTITLED
AN ACT

To regulate further the compensation of certain public officers; to provide for such a salary adjustment for Alabama state troopers and police communications officers as will bring the salaries of these employees of the Department of Public Safety to a level approximating the average salary of like employees in the Southeastern United States; to make an appropriation to implement this act; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Legislature of Alabama commissioned a study of state salary structures in 1975 and such study indicated that a notable salary lag existed between state troopers in Alabama and other troopers of the Southeast and the Nation. Recognizing the qualifications and training required for personnel filling these positions, their constant exposure to danger, their irregular work schedules under a wide range

of conditions, the Legislature does hereby appropriate out of the general fund, for the fiscal year beginning October 1, 1977, the sum of \$2,480,000.00 to implement this act.

Section 2. The State Personnel Department shall increase the salaries of the following classifications of employees within the State Department of Public Safety in the amount of \$115.00 bi-weekly; State Trooper Cadet, State Trooper, State Trooper Corporal, State Trooper Sergeant, State Trooper Lieutenant, State Trooper Captain, State Trooper Major, Police Communications Officer I, Police Communications Officer II, and Jolice Communications Supervisor I.

Section 3. The Director of the State Personnel Department shall revise the schedule of rates set forth in the pay plan for classes of employees enumerated in Section 2 subject to the merit system law to reflect this increase herein provided and shall certify the same to the State Comptroller who shall issue his warrants in accordance therewith.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws, general, local or special, in conflict with this act are hereby repealed.

Section 6. This act shall become effective on the beginning of the first state pay period beginning on or after October 1, 1977. It is specifically provided, however, that this act shall not affect the compensation of any officer or employee of Coosa County or of Tuscaloosa County even though the compensation of such officers was heretofore prescribed by a law, which based such compensation on or in some way related it to the compensation of one or more of the positions in the above listed classifications.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Owens, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 218, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 86; Nays 5.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—86

Nays: Messrs.: Lee, McNair, Robertson, Smith (C) and Tucker.

—5

And the bill:

H. 218. To regulate further the compensation of certain public officers; to provide for such a salary adjustment for Alabama state troopers and police communications officers as will bring the salaries of these employees of the Department of Public Safety to a level approximating the average salary of like employees in the Southeastern United States; to make an appropriation to implement this act; and specifically to provide that this act shall operate to increase the compensation only of those officers named herein and shall not affect the compensation of any other public officer; and to repeal conflicting laws.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNeese, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—90

LEAVE OF ABSENCE

At the request of Mr. McCluskey, leave of absence was granted for Mr. Shoemaker, due to an injury in the family.

SPECIAL ORDER RESUMED

And the bill:

S. 401. To amend further Title 51, Section 21, Code of Alabama 1940, so as to provide a definition for heavy duty equipment and to provide that a tax lien shall attach to all heavy duty equipment brought into or situated in this state at any time of the year and to provide for the payment of an ad valorem tax to be computed on a quarterly basis on said equipment.

Which was temporarily postponed on the twenty-eighth legislative day, was taken up.

AMENDMENT OFFERED

Mr. Crowe offered the following amendment to the bill, S. 401:

Amend S. B. 401 on page 6, line 34 by striking and removing the period after the word "pounds" and adding the following, "but shall not include inventory on hand for sale by duly licensed heavy equipment dealers."

AMENDMENT ADOPTED

And the amendment was adopted.

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Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carter, Cates, Coburn, Cross, Crowe, Dial, Edwards, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lewis, Lockett, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Plaster, Quarles, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Warren, Weeks, White, Wyatt and Younce.

—72

And the bill, S. 401 as thus amended, was read a third time at length and passed.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Edwards, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Lewis, Lockett, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—83

Nay: Mr. Leonard.

—1

MOTION TO RECESS

Mr. Gregg offered the motion that the House recess for one hour.

SUBSTITUTE MOTION LOST

The substitute motion offered by Mr. Folmar that the House adjourn until 10:00 o'clock a.m., Monday, May 16, 1977, was lost.

Yeas 30; Nays 54.

Yeas:

Mr. Speaker, Baker, Boles, Carter, Cates, Clark, Folmar, Gafford, Glass, Gregg, Harrison, Hilliard, Holmes (D), Hopping, Jolly, Lee, Leonard, Lockett, McNair, Merrill, Morris, Quarles, Robertson, Sasser, Smith (J), Smith (M), Sparks, Tucker, Whatley and White.

—30

Nays:

Messrs.: Armstrong, Barron, Biddle, Buskey, Callahan, Campbell, Coburn, Cross, Crowe, Dial, Ford, Goodwin, Greer, Hall, Harris, Hill, Hines, Holmes (A), Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lewis, Lutz, McCluskey, McCulley, McMillan, McNees, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster,

Roberts, Sandusky, Shelton, Smith (C), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Wyatt and Younce.

—54

MOTION TO RECESS LOST

The question was then on the motion offered by Mr. Gregg that the House recess for one hour, and the motion was lost.

Yeas 33; Nays 51.

Yeas:

Mr. Speaker, Andrews, Armstrong, Biddle, Carter, Crowe, Dial, Edwards, Falkenburg, Gafford, Glass, Gregg, Harrison, Holmes (A), Holmes (D), Kelley, Killian, Lewis, McCulley, McNair, McNees, Manley, Moore (O), Morris, Smith (J), Smith (M), Sparks, Trammell, Tucker, Turnham, Warren, Whatley and White:

—33

Nays:

Messrs.: Baker, Barron, Boles, Buskey, Callahan, Campbell, Cates, Coburn, Cross, Folmar, Ford, Goodwin, Greer, Hall, Harris, Hill, Hines, Hopping, Jackson (F), Johnstone, Jolly, Kennedy, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McMillan, Martin, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Sonnier, Starkey, Venable, Waggoner, Weeks, Wyatt and Younce.

—51

SPECIAL ORDER RESUMED

And the bill:

S. 606. To require that persons or companies bidding on asphalt plant mix to be sold to the State of Alabama shall have such asphalt plants inspected and certified by the Highway Department.

Was read a third time at length and passed.

Yeas 80; Nays 3.

Yeas:

Mr. Speaker, Armstrong, Biddle, Boles, Buskey, Callahan, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Edwards, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—80

Nays: Messrs. Barron, Campbell and Quarles.

—3

And the bill:

S. 464. To provide that persons who served two or more years with the National Youth Administration during World War II shall be

allowed to make certain contributions into the state retirement systems and shall have such service time credited as state service toward their retirements.

Was read a third time at length and passed.

Yeas 78; Nays 2.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Boles, Buskey, Callahan, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Hall, Hill, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—78

Nays: Messrs.: Leonard and McNair.

—2

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Drake voting "Yea" on the bills, S. 401 and S. 606.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 347. COMMENDING WILBUR HARDEN, GRAND MASTER OF THE ALABAMA GRAND LODGE.

Also:

S. J. R. 348. CONGRATULATING MR. BEN ROGERS LEE OF COFFEEVILLE, ALABAMA.

Also:

S. J. R. 350. To encourage the University of Alabama in Birmingham to consider fielding a major basketball team.

Also:

S. 548. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide for a county supplement to the state pay for the district judges in such counties.

Also:

S. 785. Relating to all counties having populations of not less than 12,700 nor more than 13,100 inhabitants according to the 1970 or any subsequent federal decennial census; providing that the county governing body in any such county is authorized and empowered to pay the employer's share of social security or F. I. C. A. payments on elected officials.

Also:

S. 843. Relating to any county having a population of not less than 95,000 nor more than 115,000 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the county coroner.

Also:

S. 865. Relating to cities in the state having a population of not less than 50,000 nor more than 60,000 inhabitants according to the 1970 or any subsequent federal decennial census; providing that the city commission of any such city shall be authorized to establish their meeting dates by resolution.

Also:

S. J. R. 349. NAMING THE NEW LIVESTOCK DISEASE DIAGNOSTIC AND AGRICULTURAL CHEMICAL LABORATORY BUILDING OF THE DEPARTMENT OF AGRICULTURE AND INDUSTRIES THE "GILMER-TURNHAM BUILDING"

Also:

S. J. R. 352. MOURNING THE DEATH OF ROLAND COOPER, PROMINENT WILCOX COUNTY BUSINESSMAN, CATTLE FARMER, FORMER STATE SENATOR AND PROBATE JUDGE.

Also:

S. 688. To provide and regulate a tax exemption for annexed territory of incorporated municipalities with populations of 2,000 or more in any county having a population of 600,000 or more according to the 1970 or any subsequent federal decennial census.

Also:

S. 834. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1301. Relating to all counties having populations of not less than 10,900 nor more than 11,500 inhabitants according to 1970 or any subsequent federal decennial census; to provide for the compensation and expenses of the members of the boards of education in such counties and to prescribe meeting requirements for such boards.

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Also:

H. 1305. Relating to all counties having one of their borders on the Tennessee River and having population of not less than 27,000 nor more than 27,900 inhabitants according to the 1970 or any subsequent federal decennial census, to create the Tennessee Valley Publicity and Improvement Association in said counties and to designate their powers, duties and functions.

Also:

H. 1312. To alter, rearrange and extend the boundary lines and corporate limits of any city in this state having a population of not less than 5,165 nor more than 5,245 according to the 1970 or any subsequent federal decennial census.

Also:

H. 707. To amend further Act No. 1590, S. 415, 1971 Regular Session Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to delete Sumter County from provisions of this Act exempting Marengo and Sumter Counties from certain provisions of the Act and granting the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Also:

H. 712. To amend Section 10 of Act No. 1054, H. 2173 of the 1973 Regular Session of the Legislature (Acts 1973, Vol. III, p. 1693) pertaining to additional unlawful acts in counties having populations of not less than 115,000 nor more than 130,000 according to the 1970 or any subsequent federal decennial census, in regard to the sale of table wine, so as to make the unlawful acts in said counties conform to the general law of Alabama governing the sale of alcoholic beverages.

Also:

H. 728. To provide for the night hunting and taking of raccoons and opossums with the use of a light and/or shotgun using shot no larger than number eight, or with a 22-caliber rimfire rifle using 22-caliber-short ammunition in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the 1970 or any subsequent federal decennial census.

Also:

H. 916. Relating to all counties having a population of not less than 56,500 nor more than 59,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for members of the county commission.

Also:

H. 968. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 13,200 nor more than 13,400.

Also:

H. 969. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Also:

H. 1103. Relating to all cities having a population of not less than 60,000 nor more than 120,000 inhabitants according to the 1970 or any subsequent federal decennial census; allowing the city governing body of such counties to continue paying the salary of certain employees injured in special circumstances; allowing such employees to continue accruing benefits; and making the provisions of this act retroactive to January 1, 1977.

Also:

H. 1127. Relating to counties having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census, to authorize the jury commission to set the salary of its employees.

Also:

H. 1142. To authorize the establishment of branch banks in Pickens County.

Also:

H. 1230. Relating to Henry County; prescribing the manner of filling vacancies in the office of district judge; providing that appointments to fill vacancies may be made without regard to the appointees' previous residence.

Also:

H. 1187. Relating to Dekalb County; to authorize the Dekalb County governing body and municipal governing bodies within Dekalb County to regulate the use of explosives for surface mining activities within their respective police jurisdictions.

Also:

H. 1288. To amend Act No. 1205, S. 400, Section 4-106 (g) (2) (A), Regular Session 1975 (Acts of Alabama 1975, p. 2397); now appearing in Title 13A, Section 4-106 (g) (2) (A), Code of Alabama (1940) (Recompiled 1958); now also appearing in Title 12, Section 12-17-251 (c) (1), Code of Alabama (1940) (Recompiled 1977) relating to District Court Magistrates and their powers so as to amend said Act with respect to Tuscaloosa County so as to further provide for the issuance of arrest warrants and search warrants, by magistrates who are other than licensed practicing attorneys.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present,

signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1317. To further regulate the compensation of the sheriff of Marengo County and to repeal all laws or parts of laws which conflict with this act, expressly repealing Act No. 114, H. 5, Third Special Session 1975 (Acts of 1975, Vol. I, p. 343).

Also:

H. 1318. Relating to Hale County, to amend Act No. 61, H. 209, Regular Session 1953 (Acts 1953, p. 89), relative to establishing the county governing body for Hale County; so as to provide further for the regular meetings of such body, and providing certain public notice requirements prior to such meetings.

Also:

H. 1321. Relating to all counties having a population of not less than 20,500 nor more than 21,500 according to the 1970 or any subsequent federal decennial census; to allow the county governing body and the governing body of each municipality in the county to contribute public funds to a volunteer rescue squad.

Also:

H. 1322. Relating to all counties having populations of 10,660 or less according to the 1970 or any subsequent federal decennial census; providing for an additional clerk hire allowance for the office of judge of probate.

Also:

H. 1323. Relating to all counties having populations of 10,660 or less inhabitants according to the 1970 or any subsequent federal decennial census; to provide for an additional clerk-hire allowance for the tax assessor in any such county.

Also:

H. 1324. To alter, rearrange, and extend the City Limits and Corporate Limits of the Municipality of Eufaula, in Barbour County, Alabama.

Also:

H. 1333. To provide that the investigators of the district attorney of the thirtieth Judicial Circuit shall have arrest powers in Blount County.

Also:

H. 1335. Relating to Perry County; to provide for the compensation of circuit court bailiffs in such county.

Also:

H. 1336. To amend further Section 1 of Act No. 348, H. 868, Regular Session (Acts 1969, p. 720), entitled "An Act Relating to Perry County;

to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama," so as to increase the amount of said allowance.

Also:

H. 1337. To amend further Section 1 of Act No. 349, H. 869, 1969 Regular Session (Acts 1969, p. 721), entitled "An Act Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama," so as to increase the amount of said allowance.

Also:

H. 1338. Relating to Perry County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the disposition and use of such fee.

Also:

H. 1340. Relating to counties having populations of not less than 90,000 nor more than 100,000 according to the 1970 or any subsequent federal decennial census; to provide a secretary for circuit judges to be appointed by the presiding judge at a salary not to exceed \$10,000 to be set by the presiding judge.

Also:

H. 1344. Relating to counties having populations of not less than 50,000 nor more than 52,500; to provide for additional expense allowances for certain county officers.

Also:

H. 1352. Relating to Macon County; to authorize the county governing body to pay an additional expense allowance to the circuit clerk in Macon County.

Also:

H. 1358. Relating to the municipality of Town of Lakeview, in DeKalb County, to alter, re-arrange and extend the boundaries of the Town of Lakeview.

Also:

H. 1359. To levy a 1¼ mil ad valorem tax on all real and personal property in Mobile County, to provide that the proceeds of said tax shall be used to increase the salaries of all municipal and county law enforcement officers within Mobile County, and to provide for a procedure for the distribution of these funds.

Also:

H. 1361. To extend, alter, rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Also:

H. 1320. To promote the maintenance of Talladega County's natural beauty, by eliminating unsightly and unhealthy litter; to provide for the dissemination in Talladega County of information pertaining to laws relative to littering and penalties therefor, and of pleas to the public to

heed such laws and to help to eliminate litter in such county; and to provide that certain identifiable litter constitutes prima facie evidence of littering by the person with whom it can be identified.

Also:

H. 1202. Relating to all counties having populations of not less than 16,245 nor more than 16,300 inhabitants according to the 1970 or any subsequent federal decennial census; further regulating expense allowances for all members of the county board of education in such counties; and providing that the payment therefor be made from the public school funds of such counties.

Also:

H. 1360. To propose an amendment to the Constitution of Alabama to authorize the legislature to provide for the levy and collection of a 1¼ mil ad valorem tax in Mobile County the proceeds of which shall be used to increase the salaries of municipal and county law enforcement officers within Mobile County.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1247. Relating to Cleburne County; to provide for the salaries of the members of the county commission and the sheriff of said county.

Also:

H. 1252. To amend the City of Dothan Pension and Retirement System established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Alabama Legislature, approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature, approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature, approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature, approved July 12, 1971; Act No. 78, Regular Session of the Alabama Legislature, approved July 25, 1975.

Also:

H. 1267. To amend Section 10 of Act No. 445, H. 993 of the 1976 Regular Session of the Legislature (Acts 1976, Vol. I, p. 545) pertaining to additional unlawful acts in regard to the sale of table wine in Hale County, so as to make the unlawful acts in Hale County conform to the general law of Alabama governing the sale of alcoholic beverages.

Also:

H. 1271. Relating to Marengo County; fixing the fee for the issuance of a pistol permit by the sheriff; providing for the deposit of such fees in a sheriff's fund; and providing for the distribution and use of such fees.

Also:

H. 1272. Relating to Marengo County; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the Marengo County Jail, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this act; to provide further for the carrying out of the provisions of this act and to repeal all laws or parts of laws which conflict with this act and to expressly repeal Act No. 480, H. 1459, Regular Session 1975 (Acts of 1975, Vol. II, p. 1103).

Also:

H. 1273. To alter and re-arrange the boundary lines of the City of Demopolis, Marengo County, Alabama, so as to include within the corporate limits of said City, in addition to the present territory included within the corporate limits, certain other territory.

Also:

H. 1277. Relating to counties having a population of not less than 33,550 nor more than 34,000 residents according to the 1970 or any subsequent federal decennial census, to confer discretionary authority upon the governing body of such counties to appropriate from the general funds of the county certain sums of money for the payment of certain equitable and moral claims against such counties.

Also:

H. 1285. To amend Act No. 133, H. 86, First Special Session 1971 (Acts 1971, p. 214), as amended, which act provides for a clerk for the probate judge in counties having populations of not less than 12,700 nor more than 13,100 inhabitants according to the 1970 or any subsequent federal decennial census, so as to provide further for the salaries of such clerks.

Also:

H. 1293. Relating to Lawrence County; to alter, rearrange and extend the boundary lines and corporate limits of the city of Moulton.

Also:

H. 1297. Relating to Lauderdale County; amending Section 2 of Act No. 791, H. 923 of the 1969 Regular Session (Acts 1969, Vol. II, p. 1421), which act pertains to the office of the sheriff, his deputies and assistants, so as to increase the deputy uniform allowance.

Also:

H. 1298. Relating to counties having populations of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census, to provide that the county governing body of such county shall be able to pay the cost of making any county employee in any county office that the governing body considers advantageous notaries public for the State at large.

Also:

H. 1299. To expressly repeal Act No. 818, 1975 Regular Session (Acts of 1975, P. 1644) and Act No. 327, 1976 Regular Session (Acts of 1976, P. 360 & 361). To further provide that all counties of not less than 22,000 population nor more than 22,500 population according to the most recent federal census, fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees, providing for the deposit of the funds from the pistol permits and for the use of such funds.

Also:

H. 1300. Relating to all counties having populations of not less than 115,000 nor more than 150,000 according to the 1970 or any subsequent federal decennial census; to provide that the members of the board of registrars shall be paid \$20.00 per day for each day they work.

Also:

H. 1296. Relating to Dale County; to set the salaries and mode of payment of the probate judge, tax assessor and tax collector; to provide for the compensation, and method of appointment of their employees; and to repeal conflicting laws.

Also:

H. 1302. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Taylor, in Houston County.

Also:

H. 1304. To regulate further the compensation of the judges of the 12th judicial circuit; providing for a supplement to the salary of such judges payable by the counties composing the circuit.

Also:

H. 1316. To place the position of Director/Coordinator of the County Civil Defense Authority in all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census, under the Personnel Board, to provide exemptions and to establish the minimum range number to be assigned to the Director/Coordinator.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

And the bill:

S. 62. (With Amendment): To authorize and provide for the issuance of revenue bonds for the purpose of providing for the construction, reconstruction, improvement, alteration, enlargement and equipment of public office building facilities and of annexes, additions and

enlargements of such buildings and for the acquisition of sites therefor; to authorize and provide for the establishment of a public corporation, to be known as the Alabama Capitol Building Authority, to issue such bonds; to provide that a part of the proceeds of such bonds shall be used by the authority established hereunder for the purpose of maintaining such public office building or buildings for the legislative branch of the government of the State of Alabama, that a part of such proceeds shall be used by the Alabama Building Authority for the purpose of constructing, altering and improving the public office building facilities heretofore constructed by such authority or for constructing and equipping of annexes, additions or enlargements of such building, and the remainder of the proceeds of such bonds shall be used by the Alabama Building Finance Authority for the purpose of constructing, altering and improving public office building facilities heretofore constructed by such authority or for constructing and equipping of annexes or additions to such buildings; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of such bonds; to provide that all properties procured, constructed or improved or enlarged with the proceeds of any bonds hereby authorized and the income therefrom and all bonds issued pursuant to this act and the income therefrom and all leases made and all lien notices filed relative to buildings or additions constructed, altered, improved or equipped pursuant to this act, shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the several authorities, respectively, and shall not create an obligation or debt of the state; to provide that any bonds issued pursuant to this act may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds issued pursuant to this act; to provide for the construction of public office buildings facilities, the alteration, construction of annexes or additions to, and improvement of public office building facilities and for the equipment of such facilities or additions thereto by the several authorities above listed; to authorize the conveyance to each of said authorities of lands owned by the State; to create a reserve fund for the benefit of the bonds issued pursuant to this act; to authorize the authority established hereunder to pledge such revenues from any facilities constructed under authority of this act as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the state treasurer shall be the custodian of the funds of the authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, and private parties of space for occupancy in said facilities or additions thereto; and to authorize publication of notice of each resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge.

Was taken up.

SUBSTITUTE OFFERED

Mr. Callahan offered the following substitute to the bill, S. 62 with pending amendment:

A BILL TO BE ENTITLED AN ACT

To authorize Alabama Building Finance Authority to sell and issue

not exceeding \$15,600,000 principal amount of bonds for the purpose of constructing public office building facilities and altering, constructing additions to, and improving public office building facilities, and for the procurement of sites and equipment for such facilities or additions thereto; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and the recording thereof and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create obligations or debts of the State; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction of public office building facilities, the alteration, construction of additions to, and improvement of public office building facilities and for the equipment of such facilities or additions thereto by the Authority; to authorize the conveyance to the Authority of lands owned by the State; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities (when and as such revenues become available to the Authority) which may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of the bonds and the creation of the pledge as a lien on the revenues, which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, counties, municipal corporations, other public bodies, and private persons, firms, corporations or associations, of space for occupancy in said facilities or additions thereto; to amend Section 25 of Act No. 658 enacted at the 1961 Regular Session of the Legislature of Alabama; to amend Section 18 of Act No. 205 enacted at the 1955 Regular Session of the Legislature of Alabama; and to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following terms, wherever used in this Act, shall have the following respective meanings unless the context clearly indicates otherwise:

"Act No. 205" means Act No. 205 enacted at the 1955 Regular Session of the Legislature of Alabama.

"Act No. 658" means Act No. 658 enacted at the 1961 Regular Session of the Legislature of Alabama.

"Authority" means Alabama Building Finance Authority, a public corporation and instrumentality of the State that was organized and exists pursuant to Act No. 658.

"Board of Directors" means the board of directors of the Authority.

"Bonds" (except where that word is used with reference to bonds issued under another act) means any bonds, other than refunding bonds, issued under the provisions of this Act.

"Facilities" means any public office building constructed pursuant to Act No. 205, Act No. 658, and this Act, and any alterations, improvements, or additions thereto.

"Refunding bonds" means any refunding bonds issued under the provisions of this Act.

"State" means the State of Alabama.

"Herein," "hereby," "hereunder," "hereof," and other equivalent words refer to this Act as an entirety and not solely to the particular section or portion thereof in which any such word is used.

Nouns and pronouns shall be deemed to include both singular and plural and all applicable genders.

Section 2. Authorization to Issue Additional Bonds and Purposes Thereof. In addition to the other powers conferred on the Authority by the provisions of Act No. 658, the Authority is hereby authorized to sell and issue its bonds in an aggregate principal amount not exceeding Fifteen Million Six Hundred Thousand Dollars (\$15,600,000) for the purpose of providing funds for the acquisition of public office building sites, for the construction of facilities, for the procurement of equipment therefor, and for the payment of obligations incurred for any of said purposes. The public office building sites herein authorized to be acquired shall be limited to sites lying in a tract of land in the City of Montgomery, Alabama, bounded on the east by Jackson Street, on the west by Ripley Street, on the north by Monroe Avenue, and on the south by Washington Avenue.

Section 3. Refunding Bonds. For the purpose of refunding any bonds, including refunding bonds, of the Authority, whether the refunding shall occur before, at or after the maturity of the bonds refunded and for the purpose of paying all premiums and expenses of such refunding (including attorneys' fees, costs of printing the refunding bonds, fiscal agents' fees, and accountants' fees), the Authority may from time to time sell, at either public or private sale, and issue refunding bonds in an aggregate principal amount not exceeding the sum of (a) the outstanding principal amount of such bonds, (b) the interest (accrued or to accrue) to the respective maturities of the bonds to be refunded, or if the bonds to be refunded are to be called for redemption, either on the earliest date on which under their terms they may be redeemed or some later date or dates, the interest (accrued or to accrue) on the bonds to be refunded to the date or dates on which they are to be called for redemption, (c) the amount of any redemption premium required, by the terms of the bonds, to be paid as a condition to their redemption prior to their respective maturities, and (d) the amount of any expenses (actual or estimated) of such refunding. For the purpose of providing funds to enable the Authority to pay at their respective maturities the principal of and interest due on the refunding bonds issued under this Act and to accomplish the purposes of this Act, the Board of Directors of the Authority is hereby authorized to pledge irrevocably to such purpose, and there is hereby appropriated for such purpose, such amount as may be necessary for such purpose of the funds pledged and appropriated in Section 13 of this Act for the payment of the bonds being refunded as well as revenues of the Authority from any other sources specified in the proceedings wherein the refunding bonds are authorized to be issued. When so pledged in the proceedings of the Authority under which the refunding bonds are authorized, such pledge shall constitute an irrevocable pledge of the funds referred to and such other revenues as may be pledged by the Authority in its proceedings. Refunding bonds issued by the Authority

shall not be general obligations of the Authority but shall be payable solely from the sources specified in this Act and in the proceedings wherein the refunding bonds are authorized to be issued. All refunding bonds issued by the Authority shall be solely and exclusively obligations of the Authority and shall not create a debt of the State. The faith and credit of the State shall never be pledged for the payment of any refunding bonds issued by the Authority under this Act. The Authority may contract with respect to the safekeeping and application of the refunding bond proceeds and other funds included therewith and the income therefrom including the right to appoint a trustee which may be any trust company or state or national bank having powers of a trust company within or without the State.

Section 4. Execution and Other Details of the Bonds. The bonds, including refunding bonds, shall be executed, sealed and attested, may be used as security for deposits, and shall be eligible for investments of public funds and fiduciary funds, all as is provided in Act No. 658 for bonds issued thereunder. The bonds shall be in such form or forms and denominations and of such tenor and maturities, shall bear such rate or rates of interest payable and evidence in such manner, may be made subject to redemption prior to their maturities, and may contain provisions not inconsistent with this Act, all as may be provided under the resolution of the Board of Directors under which the bonds may be issued; provided, that no bonds shall have a specified maturity date later than thirty years after their date, and provided further, that those bonds having maturities more than ten years after their date shall be subject to redemption at the option of the Authority on any interest payment date on and after the tenth anniversary after their date at such redemption price and under such conditions as may be prescribed in the proceedings of the Authority under which they are issued.

Section 5. Sale of the Bonds. The bonds may be sold by the Authority from time to time at public or private sales, as may be determined by the Board of Directors to be most advantageous. If sold at public sale, the bonds shall be sold either on sealed bids or at public auctions, to the bidder whose bid reflects the lowest total net interest cost to the Authority for the bonds being sold, computed from their date to their respective maturities and taking into account any premium named in the bid therefor; provided, that if no bid acceptable to the Authority is received it may reject all bids. Notice of such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the State which is customarily published not less often than five days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The Board of Directors may fix the terms and conditions under which any sale, whether public or private may be held; provided, that none of the bonds may be sold for a price less than the face value thereof; and provided further, that such terms and conditions shall not conflict with any of the requirements of this Act. Neither a public hearing nor consent of the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of any of the bonds.

Section 6. Investment of Proceeds from Sale of Bonds. Any portion of the proceeds derived from the sale of the bonds which the Board of Directors may determine is not then needed for any of the purposes for which the bonds were authorized to be issued shall, on order of the Authority, be invested by the State Treasurer in any securities that are direct general obligations of the United States of America or any securities payment of the principal of and interest on which is uncon-

ditionally and irrevocably guaranteed by the United States of America. Any such securities may, at any time and from time to time on order of the Authority, be sold or otherwise converted by the State Treasurer into cash. The income derived from any such investments shall be disbursed on order of the Authority for any purpose for which it may lawfully expend funds.

Section 7. Exemption from Taxation. The properties of the Authority, and the income therefrom, all lease agreements made by the Authority, the recording of such lease agreements, all bonds issued by the Authority and the coupons applicable thereto and the income therefrom, and all lien notices filed with respect thereto, shall be forever exempt from any and all taxation in the State.

Section 8. Bonds and Coupons Constitute Negotiable Instruments. All bonds issued by the Authority, while not registered, shall be construed to be negotiable instruments although payable from a limited source. All coupons applicable to any bonds issued by the Authority, while the applicable bonds are not registered as to both principal and interest, shall likewise be construed to be negotiable instruments although payable from a limited source.

Section 9. Obligations Not a Debt of the State. All obligations incurred by the Authority and all bonds issued by it shall be solely and exclusively obligations of the Authority and shall not create obligations or debts of the State.

Section 10. Use of Proceeds from Sale of Bonds. All proceeds derived from the sale of the bonds remaining after payment of the expenses of issuance thereof shall be turned over to the State Treasurer, shall be carried by the State Treasurer in a special account to the credit of the Authority, and shall be subject to be drawn on by the Authority solely for the purpose of paying the expenses of the sale of the bonds, acquiring land for and constructing facilities, and procuring sites and equipment for such facilities, and the payment of all reasonable and necessary expenses incidental thereto, including interest which shall accrue on said bonds during the construction of any facilities and for a period not exceeding six months thereafter. Any balance of the proceeds thereafter remaining shall, upon completion of any such facilities for which the bonds were issued and the payment of all costs in connection therewith, be transferred to the reserve fund account of the Authority provided for by Section 13 of this Act. The reasonable and necessary expenses incidental to the construction of any such facilities shall, if deemed advisable by the Authority, include all or any part of the expense of providing adequate housing, during the construction of such facilities, for any State agencies using any building or part of any building or other structure which is demolished for the purpose of providing a suitable site for the construction of any such facilities. All proceeds from the sale of refunding bonds issued by the Authority remaining after paying the expenses of their issuance shall be used only for the purpose of paying the amounts specified in Section 3 of this Act.

Section 11. Construction of Facilities or Additions. All facilities constructed by the Authority under the provisions of this Act shall be constructed according to plans and specifications of architects or engineers selected by the Authority. Such construction shall be done under the supervision and direction of the director of the Technical Staff of the Building Commission created by Act No. 128 enacted at the 1945 Regular Session of the Legislature of Alabama (hereinafter called "the Commission"), or any agency of the State designated by the Legislature as its successor, following award for each part of the work to the lowest responsible bidder after advertising for receipt and public

opening of sealed bids; provided, that the invitations for bids and the bidding documents shall be so arranged that any alternates from the base bid shall constitute cumulative deductions from the base bid, and in determining the lowest bidder, if funds are insufficient to construct the building on the lowest base bid, then the director of the Technical Staff of the Commission may proceed to consider the bids upon the basis of the base bids of all bidders minus the respective reductions stated for the first alternate, and if the lowest bid so determined is not then within the funds available, the director of the Technical Staff of the Commission shall proceed to consider the base bid minus the first and second alternates together to determine the lowest bid, and in like manner throughout all alternates, if need be, so that in no event shall there be any discretion as to which alternate or alternates will be used in determining the lowest responsible bidder. All such contracts shall be lump sum contracts. All contracts for the entire work shall be awarded at the same time but notice to proceed may be withheld until prior work under another contract has progressed to a point where the joint or following work can best be coordinated for the earliest completion of the entire project in a sound and workmanlike manner. All construction contracts shall be executed by the Authority upon the determination or the direction of the Technical Staff of the Commission as to the lowest bidders, respectively. Payments made by the Authority under any construction contract shall be upon the contractor's written sworn request only if endorsed as approved by the director of the Technical Staff of the Commission or in any lesser amount the director of the Technical Staff of the Commission shall endorse as having been then earned on that contract. The Authority and the director of the Technical Staff of the Commission shall agree to a construction cost estimate including reimbursement to the Commission of its reasonable direct costs in having plans, specifications and contract documents prepared and in supervising and inspecting the work. After the contracts have been awarded such construction cost estimate shall be revised and all extras on the contracts shall be awarded within the funds available.

Section 12. Conveyance to Authority by State. The Governor of Alabama is authorized to execute and deliver immediately before or simultaneously with the issuance of the bonds an appropriate deed conveying to the Authority any land belonging to the State in the vicinity of the Capitol Building block, situated in the City and County of Montgomery, Alabama (including the tract of land specified in Section 2 of this Act), which may be necessary to ensure that the Authority holds title to the land on which any facilities constructed by it with the proceeds of the bonds are to be situated. Upon delivery of such deed to the Authority it thereby shall be invested with all rights and title that the State of Alabama had in the property conveyed thereby, subject to the hereinafter provided right of reverter to the State upon the dissolution of the Authority. The consideration for the conveyance shall be the Authority's agreement to reconvey the land to the State, with all improvements thereon owned by the Authority, free of charge, immediately before the dissolution of the Authority as provided in Section 25 of Act No. 658 as herein amended, and such consideration is hereby conclusively determined to be valuable, adequate and fair. Immediately prior to its dissolution the Authority shall also convey to the State all other assets acquired by the Authority, whether by purchase, gift, grant or otherwise, provided the terms of the grant are not violated thereby.

Section 13. Creation of Fund for the Benefit of the Bonds. For the purpose of providing funds for the payment of the principal of and interest due on the bonds, there is hereby created and irrevocably pledged to the payment of such obligations such amount as may be necessary

for such purpose out of a special and continuing trust fund, which fund shall consist of: (1) all revenues from rents contracted for and received by the Authority under leases of facilities constructed with the proceeds from the sale of the bonds; (2) all revenues from rents contracted for and received by the Authority under leases of the building constructed with the proceeds from the sale of the bonds authorized to be issued by Act No. 658, after all of those bonds shall have been paid; and (3) all revenues from rents contracted for and received by the Authority under leases of the building conveyed to the Authority by the State pursuant to Section 18 of Act No. 205, as herein amended, after that building shall have been conveyed to the Authority. There shall be created within the special and continuing trust fund provided for in this Section a separate reserve fund account of the Authority in the State Treasury in which there shall be placed as a trust fund and held separate and apart from all other monies of the State or of the Authority, (1) any monies derived from the sale of the bonds remaining after the completion of any facilities financed by the bonds and the payment of all costs in connection therewith and in connection with the issuance of the bonds, and (2) all excess revenues from rents contracted for and received by the Authority and paid into the special and continuing trust fund provided for in this Section and remaining each fiscal year of the State after payment of all charges and expenses of operating and maintaining such facilities during such fiscal year, including all payments required to be made during such fiscal year with respect to the bonds. The reserve fund shall be held by the State Treasurer in trust for the Authority and the holders of the bonds and may be invested only in securities which are either direct obligations of the United States of America or fully guaranteed as to payment of principal and interest by the United States of America. The reserve fund shall be used to pay, when due and payable, any installment of principal or interest or both on the bonds for which the fund was created which cannot be paid out of current revenues or other monies of the Authority derived from facilities constructed with the proceeds from the sale of the bonds. There shall also be created in the special and continuing trust fund provided for in this Section in account thereof in which shall be deposited, segregated and held only the amounts reasonably estimated to be necessary for the maintenance, operation and upkeep of facilities to be constructed with funds provided by the bonds, with all excess monies at the end of each fiscal year of the State being transferred to the reserve fund account.

Section 14. Pledge and Lien for Benefit of Bonds. In the proceedings authorizing the issuance of any of the bonds, the Authority is authorized and empowered to pledge for the payment of the principal of and interest due on the bonds at their respective maturities, all or any portion of the revenues specified in Section 13 of this Act. In its proceedings, the Authority may further provide and create, as security for the payment of the principal of and interest due on the bonds, a statutory lien upon the lands and facilities for the acquisition and construction of which the bonds are issued. Such statutory lien shall not be subject to foreclosure and, in the event of default in the payment of any such principal or interest, the remedies thereunder shall be limited to a remedy by way of mandamus and to the appointment, as a matter of right, by any court having equity powers and having jurisdiction over the Authority, of a receiver in equity with all the powers of such a receiver, except the power to sell the facilities and lands. If any statutory lien is provided and created by the Authority, the Authority shall, upon the issuance of the bonds, file in the office of the Judge of Probate of Montgomery County, Alabama, an instrument reciting the issuance of the bonds, the pledge of revenues, and the creation of the statutory lien as security therefor, and the filing of that instru-

ment shall constitute constructive notice of the pledge and lien. The instrument shall be received and recorded by the Judge of Probate upon the payment of the fee for the recording of mortgages but no tax shall be payable with respect thereto.

Section 15. State Treasurer to Disburse Funds. Out of the funds referred to in Section 13 of this Act, the State Treasurer is authorized and directed to pay the principal of and interest due on the bonds as the principal and interest shall respectively mature, and the State Treasurer is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 16. Terms and Conditions of Leasing by Authority. The Authority and the executive head of any agency, board, commission, public corporation, bureau or department of the State of Alabama, or of the United States, or the successor in office and duties of such executive head, or of any county, municipal corporation or other public body, or private persons, firms, corporations or associations, are hereby authorized to enter into a lease or leases for the use and occupancy of offices and storage space in the facilities constructed by the Authority pursuant to this Act, subject to the same terms and conditions as are provided in Act No. 658.

The Authority shall establish and revise rental rates for the offices and storage spaces in the facilities constructed pursuant to this Act (and for the offices and storage space in the buildings owned on the effective date of this Act by the Authority and the Alabama Building Authority, when the revenues from rents from the rental of such space in those buildings become available to the Authority as provided in Section 13 of this Act) in such amounts as may be necessary to pay at their respective maturities the principal of and interest due on the bonds (or any refunding bonds) and any other expenses which may be properly chargeable to the facilities for the fair cost of the operation, maintenance and repair and any other running expenses of the facilities.

In leasing the offices and storage space in the facilities, the Authority shall give preferential consideration to State agencies which, on the effective date of this Act, are lessees of commercial offices or storage space in or about the City of Montgomery, Alabama. At least three-quarters of all offices and storage space in the facilities constructed pursuant to this Act shall, if practicable, be leased to such State agencies.

Section 17. Presumption of Validity of Bonds and Publication of Notice Thereof. Any resolution authorizing the bonds shall contain a recital that they are issued pursuant to the provisions of this Act, which recital shall be conclusive evidence that those bonds have been duly authorized pursuant to the provisions of this Act, notwithstanding the provisions of any other law now in force or hereafter enacted or amended. Upon the passage of any resolution providing for the issuance of bonds under the provisions of this Act, the Authority may, in its discretion, cause to be published once in each of two consecutive weeks in a newspaper published and having general circulation in the City of Montgomery, Alabama, a notice in substantially the following form (the blanks first properly filled in):

"Alabama Building Finance Authority, a public corporation and instrumentality of the State of Alabama, on the _____ day of _____, 19____, adopted a resolution providing for the issuance of _____ Dollars principal amount of bonds of the Authority. Any action or proceeding questioning the validity of that resolution or those bonds or the pledge and agreements

made in that resolution for the benefit thereof, or the proceedings under which the bonds, pledge and agreements were authorized, must be commenced within twenty day after the first publication of this notice.

ALABAMA BUILDING FINANCE AUTHORITY

By: _____
Its President"

Any action or proceeding in any court seeking to set aside or invalidate a resolution providing for the issuance of the bonds under the provisions of this Act or to contest the validity of any of the bonds, or the validity of any pledge or agreement made therefor, must be commenced within twenty days after the first publication of the notice. After the expiration of twenty days following such first publication, no right of action or defense founded upon the invalidity of the resolution or other proceedings, if any, or of the bonds, or of the pledge or agreements, shall be asserted. In the event of such publication the validity of such resolution, proceedings bonds, pledge or agreements shall not be open to question in any court upon any ground whatever, except in an action or proceeding commenced within such period. Any such action and any action to protect or enforce any rights under the provisions of this Act shall be brought in the Circuit Court of Montgomery County, Alabama.

Section 18. Dissolution of the Authority. Section 25 of Act No. 658 is amended to read as follows:

"Section 25. Dissolution of the Authority. When all securities issued by the Authority and all obligations assumed by it under the provisions of this and any subsequent Act shall have been paid in full, the then president of the Authority shall thereupon execute and deliver in the name of and in behalf of the Authority an appropriate deed, or deeds, to which the seal of the Authority shall be affixed and attested by the secretary of the Authority, whereby there shall be conveyed to the state all the buildings, properties and other assets then owned by the Authority. The then officers and directors of the Authority shall at such time file with the Secretary of State a written statement, subscribed and sworn to by each of them, reciting the payment in full of all bonds theretofore issued by the Authority and the execution and delivery of such deed or deeds to the state, which statement shall be filed by the Secretary of State and recorded with the certificate of incorporation of the Authority, whereupon the Authority shall stand dissolved."

Section 19. Transfer of Properties of Alabama Building Authority to the Authority. Section 18 of Act No. 205 is amended to read as follows:

"Section 18. Dissolution of the Corporation. When all securities issued by the corporation and all obligations assumed by it under the provisions of this Act shall have been paid in full, the then president of the corporation shall thereupon execute and deliver in the name of and in behalf of the corporation an appropriate deed, to which the seal of the corporation shall be affixed and attested by the secretary of the corporation, whereby there shall be conveyed to the State all the buildings and other properties theretofore conveyed to the corporation. The then officers and directors of the corporation shall at such time file with the secretary of state a written statement, subscribed and sworn to by them, reciting the payment in full of all securities theretofore issued and assumed by the corporation and the execution and delivery of such deed to the State which statement shall be filed by the secretary of state and recorded with the certificate of incorporation of the corporation, whereupon the corporation shall stand dissolved. Im-

mediately following the conveyance by the corporation to the State of all the buildings and other properties theretofore conveyed to the corporation, the Governor of Alabama is authorized and directed to execute and deliver to the Alabama Building Finance Authority created in Act No. 658 enacted at the 1961 Regular Session of the Legislature of Alabama, an appropriate deed conveying to that Authority all the buildings and other properties conveyed to the State pursuant to this Section."

Section 20. Allocation and Use of Public Office Building Facilities. Upon the completion of the acquisition, construction and improvement of such public office building facilities as are authorized by this act, the chief of service of the division of service of the department of finance shall allocate such newly-acquired office building facilities to all state offices and departments presently located in the state capitol building, except the governor's office, the secretary of state's office, and such other state offices as may be required by the state constitution to be maintained and located within the state capitol building. Following the completion of said newly-acquired and newly-constructed public office building facilities and the transfer of said state offices and departments presently located in the state capitol building, the chief of service, and his successors, shall maintain and reserve the state capitol building for the exclusive use and location of all offices of the legislative branch of government and its supportive agencies, departments and commissions and for the offices of the governor, the secretary of state and such other state offices as may be required by the state constitution to be maintained and located within the state capitol building.

Section 21. Repeal of Conflicting Laws. All laws and parts of laws in conflict with any of the provisions of this Act are, to the extent of such conflict, repealed.

Section 22. Severability. In the event any section, sentence, clause or provision of this Act shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining sections, sentences, clauses or provisions of this Act, which shall continue effective.

Section 23. Effective Date of Act. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 40; Nays 4.

Yeas:

Mr. Speaker, Barron, Brindley, Callahan, Carter, Coburn, Dial, Greer, Hall, Hill, Holmes (A), Holmes (D), Hopping, Howard, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, McCluskey, Manley, Merrill, Moore (O), Naramore, Pegues, Plaster, Roberts, Sandusky, Sasser, Smith (B), Smith (C), Sonnier, Starkey, Taylor, Warren, Weeks, White, Wyatt and Younce.

—40

Nays: Messrs.: Campbell, Hilliard, McNair and Quarles.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SUBSTITUTE OFFERED

Mr. Moore (W) offered the following substitute to the bill, S. 62 as amended:

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for the issuance of revenue bonds for the purpose of providing for the construction and equipment of facilities for the State Highway Department and for altering, constructing additions to, improving and equipping the existing State Highway Building so as to convert said building to the use of the legislative branch of the State of Alabama and certain other state agencies which may be housed therein and for the acquisition of certain building sites and to provide for the renovation or removal of existing structures on such property and to provide for the construction of parking facilities on such property; to authorize and provide for the establishment of a public corporation, to be known as the Alabama Capitol Building Authority, to issue such bonds; to provide that a part of the proceeds of such bonds shall be used by the authority established hereunder for the purpose of providing such public office building or buildings for the State Highway Department, that a part of such proceeds shall be used by the Alabama Building Authority for the purpose of constructing additions to, altering, improving and equipping the existing State Highway Building so as to convert said building to the use of the legislative branch of the State of Alabama and certain other state agencies which may be housed therein, and the remainder of the proceeds of such bonds shall be used by the Alabama Building Finance Authority for the purpose of purchasing certain building sites and for the renovation or removal of existing structures on such property and for the construction of parking facilities on such property; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of such bonds; to provide that all properties procured, constructed or improved or enlarged with the proceeds of any bonds hereby authorized and the income therefrom and all bonds issued pursuant to this act and the income therefrom and all leases made and all lien notices filed relative to buildings or additions constructed, altered, improved or equipped pursuant to this act, shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the several authorities, respectively, and shall not create an obligation or debt of the state; to provide that any bonds issued pursuant to this act may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds issued pursuant to this act; to provide for the construction and equipping of public office building facilities for the State Highway Department, the alteration, construction of annexes or additions to improvement and equipment of the existing State Highway Building facilities and for the equipment of such facilities or additions thereto and the purchase of certain building sites and the renovation or removal of existing structures on such property and to provide for the construction of parking facilities on such property by the several authorities above listed; to authorize the conveyance to each of said authorities of certain lands owned by the State; to create a reserve fund for the benefit of the bonds issued pursuant to this act; to authorize the authority established hereunder to pledge such revenues from any facilities constructed or renovated under authority of this act as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance

of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the state treasurer shall be the custodian of the funds of the authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama of space for occupancy in said facilities or additions thereto; and to authorize publication of notice of each resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative Intent. It is the intent of the legislature by the passage of this act to authorize, regulate and provide for the construction, operation, and equipment of public office building facilities (including vehicle parking facilities) to be used by the State Highway Department and to be located on the Old Kilby Prison Property; to provide for the altering, constructing additions to and improving and equipping the existing State Highway Building so as to convert said building to the use of the legislative branch of the State of Alabama and other presently existing state agencies which are currently leasing office space from private business and to provide for the acquisition of certain building sites and to provide for the renovation or removal of existing structures on such property and to provide for the construction of parking facilities on such property. The acquisition of sites hereby authorized shall be limited to sites lying in a tract of land bounded on the East by Jackson Street, on the West by that area formerly known as Ripley Street, on the North by Monroe Avenue and on the South by Washington Avenue.

It is the further intent of the legislature to provide for and regulate the sale of revenue bonds to defray the cost of such acquisition, construction and equipment. To facilitate the accomplishment of the above stated purposes the governor, the lieutenant governor, the speaker of the house of representatives, and the director of finance may, as hereinafter prescribed form a public corporation for the sole purposes of issuing revenue bonds, allocating the proceeds thereof for the purpose of providing for the construction and equipment of public office building facilities (including vehicle parking facilities) for the State Highway Department and for altering, constructing additions to, improving and equipping the existing State Highway Building and for the purpose of acquiring the above described land and for the purpose of renovating or removing existing structures on such property and for the purpose of constructing parking facilities on such property, and to vest such corporation with all powers, authority, rights, privileges, and titles that may be necessary to enable it to accomplish such purpose. This act shall be liberally construed in conformity with the purpose expressed.

Section 2. Definitions. The following terms, wherever used in this act, shall have the following respective meanings unless the context clearly indicates otherwise:

"Act No. 205" means Act No. 205 of the Regular Session of the Legislature of 1955.

"Act No. 658" means Act No. 658 of the Regular Session of 1961.

"The Authority" means the public corporation organized pursuant to the provisions of this act.

"Bonds" (except where that word is used with reference to bonds issued under another act) means any bonds, other than refunding bonds, issued under the provisions of this act.

"Refunding bonds" means any refunding bonds issued under the provisions of this act.

"State" means the State of Alabama.

Nouns and pronouns when used in this act shall include both the singular and plural and all applicable genders.

Section 3. Power to Incorporate. The governor, the lieutenant governor, the speaker of the house of representatives, and the director of finance may become a public corporation with the power and authority hereinafter provided, by proceeding according to the provisions of this act.

Section 4. Provisions for Incorporation. To become a corporation, the governor, the lieutenant governor, the speaker of the house of representatives, and the chief examiner of public accounts shall present to the secretary of state of Alabama an application signed by them which shall set forth: (1) the name, official designation, and official residence of each of the applicants, together with a certified copy of the document evidencing each applicant's right to office; (2) the date on which each applicant was inducted into office and the term of office of each of the applicants; (3) the name of the proposed corporation, which shall be the Alabama Capitol Building Finance Authority; (4) the location of the principal office of the proposed corporation; and (5) any other matter relating to the incorporation which the applicants may choose to insert and which is not inconsistent with this act or the laws of the State of Alabama. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of this state to take acknowledgements to deeds. The secretary of state shall examine the application and, if he finds that it substantially complies with the requirements of this section, he shall receive and file it and record it in an appropriate book of records in his office.

Section 5. Consummation of Incorporation. When the application has been made, filed, and recorded as provided in the preceding section, the secretary of state shall make and issue to the applicants a certificate of incorporation pursuant to this act, under the great seal of the state, and shall record the certificate with the application, whereupon the applicants shall constitute a public corporation and agency of the state under the name proposed in the application. There shall be no fees paid to the secretary of state for any work done in connection with the incorporation or dissolution of the authority.

Section 6. Members, Directors and Officers of the Authority. The applicants named in the application and their respective successors in office shall constitute the members of the authority. The governor shall be the president of the authority and the director of finance shall be secretary and treasurer of the authority. The members of the authority shall constitute all the members of the board of directors of the authority, which shall be the governing body of the authority. Three members of the said board of directors shall constitute a quorum for the transaction of business. Should any person holding any state office named in this section cease to hold such office by reason of death, resignation, expiration of his term of office, or for any other reason, then his successor in office shall take his place as a member, officer, or director, as the case may be, of the authority. No member, officer, or director of the authority shall draw any salary in addition to that now authorized by law for any service he may render or for any duty he may perform in connection with authority. All resolutions adopted by the board of directors shall constitute actions of the authority, and all proceedings of the board of directors shall be reduced to writing by

the secretary of the authority, shall be signed by the members of the authority, and shall be recorded in a substantially bound book and filed in the office of the secretary of state. Copies of such proceedings, when certified by the secretary of the authority, under the seal of the authority, shall be received in all courts as prima facie evidence of the matters and things therein certified.

Section 7. Powers of the Authority. The authority shall have the following powers among others specified in this act: (1) to have succession by its corporate name until the principal of and interest on all bonds issued by it shall have been fully paid; (2) to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties thereto; (3) to have and to use a corporate seal and to alter the seal at pleasure; (4) to establish a fiscal year; (5) to provide for the construction, maintenance and equipment of facilities (including vehicle parking facilities) for the State Highway Department. Such facilities shall be located on parcel 3 of the old Kilby Prison Property; (6) to provide for the altering, constructing additions to, improving and equipping the existing State Highway Building so as to convert said building to the use of the legislative branch of the State of Alabama and other presently existing state agencies which are currently leasing office space from private business; (7) to provide for the acquisition of certain building sites and to provide for the renovation of existing structures on such property, where economically feasible and to provide for the removal of those structures which are not economically capable of renovation and to provide for the construction of parking facilities on such property. Such acquisition shall be limited to sites lying in a tract of land bounded on the East by Jackson Street, on the West by that area formerly known as Ripley Street, on the North by Monroe Avenue and on the South by Washington Avenue; (8) to anticipate by the issuance of its bonds as hereinafter limited the receipt of the revenues from such facilities and also the revenues accruing to the authority hereby established from similar facilities constructed pursuant to this act by the Alabama Building Authority, established pursuant to Act No. 205 of the 1955 Regular Session (Acts of Alabama 1955, page 500), and the Alabama Building Finance Authority, established pursuant to Act No. 658 of the 1961 Regular Session (Acts of Alabama 1961, page 806); (9) as security for the payment of the principal of and interest on its bonds, to enter into any lawful covenant and to pledge the revenues from such facilities and also the revenues accruing to the authority hereby established from similar facilities constructed pursuant to this act by the Alabama Building Authority, established pursuant to Act No. 205 of the 1955 Regular Session (Acts of Alabama 1955, page 500), and the Alabama Building Finance Authority, established pursuant to Act No. 658 of the 1961 Regular Session (Acts of Alabama 1961, page 806); (10) to invest as hereinafter provided the proceeds from the sale of its bonds pending need therefor; (11) to appoint and employ such attorneys, agents and employees as the business of the authority may require, subject to the merit system where applicable, and where services of state employees are required in addition to their regular duties, to pay additional compensation for their services rendered to the authority; and (12) to contract, lease and make lease arrangements as hereinafter provided for the use and occupation of all or any part of any office building or buildings constructed, reconstructed, altered, renovated or improved by it.

Section 8. Power of Condemnation. The authority shall have the same powers of eminent domain which shall be exercised in the same manner and under the same conditions as are provided by law for the exercise of the powers of eminent domain by the State of Alabama.

Section 9. Authorization of Bonds. The authority is hereby authorized from time to time to sell and issue its bonds, not exceeding \$15,600,000.00 in aggregate principal amount, for the purpose of providing funds; for the acquisition of building sites, for the renovation or removal of existing structures on such property and for the construction of parking facilities on such property, but the acquisition of sites hereby authorized shall be limited to sites lying in a tract of land bounded on the East by Jackson Street, on the West by that area formerly known as Ripley Street, on the North by Monroe Avenue and on the South by Washington Avenue; for altering, constructing additions to, improving and equipping the existing State Highway Building; for the construction, maintenance and equipment of facilities (including vehicle parking facilities) for the State Highway Department; and for payment of obligations incurred for any of said purposes. Not more than \$7,500,000 of the above principal amount may be used by the authority hereby established for the purposes of constructing, equipping, maintaining and operating a building or buildings for the State Highway Department. Not more than \$5,500,000 of the above stated principal amount shall be paid over to the Alabama Building Authority, established pursuant to Act No. 205 of the 1955 Regular Session, to be used by such authority for the acquisition of sites, for the renovation or removal of existing structures on such property and for the construction of parking facilities on such property and for the payment of obligations incurred for any of said purposes. Not more than \$2,600,000 of said principal amount shall be paid over to the Alabama Building Finance Authority, established pursuant to Act No. 658 of the 1961 Regular Session, to be used by such authority for the alteration, construction of additions to and improvements of the existing State Highway Building, for the procurement of equipment therefor and for the payment of obligations incurred for any of said purposes.

Section 10. Refunding Bonds. The authority may from time to time sell and issue its refunding bonds for the purpose of refunding any matured or unmatured bonds of the authority at the time outstanding and any premiums necessary to be paid to redeem any bonds so to be refunded. Such refunding bonds shall be subrogated and entitled to all priorities, rights and pledges to which the bonds refunded thereby were entitled.

Section 11. Execution of the Bonds. The bonds of the authority shall be signed by either its president or its treasurer as shall be provided in the resolution under which the bonds shall be issued, and the seal of the authority shall be affixed to the bonds and attested by its secretary; provided, that a facsimile of the signature of one, but not both, of the officers whose signatures will appear on the bonds may be imprinted or otherwise reproduced on any of the bonds in lieu of his manually signing the same; and provided further, that a facsimile of the seal of the authority may be imprinted or otherwise reproduced on any of the bonds in lieu of being manually affixed thereto. Any interest coupons applicable to the bonds shall be signed with a facsimile of the signature of either the president or the treasurer as shall be provided in the resolution under which the bonds shall be issued. If, after any of the bonds or interest coupons thereunto appertaining shall be so signed, whether manually or by facsimile, any such officer shall for any reason vacate his said office, the bonds and interest coupons so signed may nevertheless be delivered any time thereafter as the act and deed of the authority. Any bonds of the authority may be executed and delivered by it at any time and from time to time, shall be in such form and denominations and of such tenor and maturities, shall bear such rate or rates of interest, payable and evidenced in such manner, may contain provisions for redemption prior to maturity, and may contain

other provisions not inconsistent herewith, all as may be provided by the resolution of the board of directors whereunder such bonds are authorized to be issued; provided, that no bond of the authority shall have a specified maturity date later than thirty years after its date. Each bond of the authority having a specified maturity date more than ten years after its date shall be made subject to redemption at the option of the authority at the end of the tenth year after its date, and on any interest payment date thereafter, under such terms and conditions as may be provided in the resolution under which such bond is authorized to be issued. Bonds of the authority may be sold from time to time as the board of directors may deem advantageous, but must be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the authority for the bonds being sold, computed to their respective maturities; provided, that if no bid acceptable to the authority is received, it may reject all bids. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the State of Alabama, each of which notices must be published at least one time not less than ten days before the date for the sale. The board of directors may fix the terms and conditions under which such sale may be held; provided, that none of the bonds may be sold for a price less than the face value thereof plus accrued interest thereon to the date of delivery thereof; and provided, further, that such terms and conditions shall not conflict with any of the requirements of this act. The authority may pay out of the proceeds of the sale of its bonds all expenses, including publication and printing charges, attorneys' fees, and other expenses which said board of directors may deem necessary and advantageous in connection with the authorization, advertisement, sale, execution and issuance of such bonds. Bonds issued by the authority shall not be general obligations of the authority but shall be payable solely out of the funds referred to in Section 20 hereof. In the event the authority shall make more than one pledge of the same revenues, such pledges shall take precedence in the order of the adoption of the resolutions in which the pledges are made; provided, that each pledge for the benefit of refunding bonds shall have the same priority as the pledge for the benefit of the bonds refunded thereby. Neither a public hearing nor consent of the state department of finance or of any other department or agency of the state shall be a prerequisite to the issuance of bonds by the authority.

Section 12. Investment of Proceeds from Sale of Bonds. Any portion of the principal proceeds derived from the sale of the bonds which the board of directors of the authority may determine is not then needed for any of the purposes for which the bonds are authorized to be issued shall, on order of the authority, be invested by the state treasurer in any securities that are direct general obligations of the United States of America or the principal of and interest on which are unconditionally and irrevocably guaranteed by the United States of America. Any such securities may, at any time and from time to time on order of the authority, be sold or otherwise converted by the state treasurer into cash. The income derived from any such investments shall be disbursed on order of the authority for any purpose for which it may lawfully expend funds.

Section 13. Exemption from Taxation. The properties of the authority and any property of either the Alabama Building Authority, established pursuant to Act No. 205 of the 1955 Regular Session, or the Alabama Building Finance Authority, established pursuant to Act No. 658 of the 1961 Regular Session, which was obtained with funds derived

from the proceeds of bonds issued pursuant to this act, and the income therefrom, all lease agreements made by the authority, and all lease agreements made by the said Alabama Building Authority or the Alabama Building Finance Authority relative to property obtained with funds derived from the proceeds of bonds issued pursuant to this act, the recording of such lease agreements, and all bonds issued by the authority and the coupons applicable thereto and the income therefrom and all lien notices filed with respect thereto shall be forever exempt from any and all taxation in the State of Alabama.

Section 14. Bonds and Coupons Constitute Negotiable Instruments. All bonds issued by the authority, while not registered, shall be construed to be negotiable instruments even though they are payable from a limited source. All coupons applicable to any bonds issued by the authority, while the applicable bonds are not registered as to both principal and interest, shall likewise be construed to be negotiable instruments although payable from a limited source.

Section 15. Obligations Not a Debt of the State. All obligations incurred by the authority and all bonds issued by it shall be solely and exclusively an obligation of the authority and shall not create an obligation or debt of the State of Alabama.

Section 16. Bonds of the Authority Lawful Security for State Deposits and Lawful Investment for Fiduciary Funds. Any bonds issued by the authority may be used by the holders thereof as security for deposits of any funds belonging to the state or to any instrumentality, agency or political subdivision of the state in any instance where security for such deposits may be required or permitted by law. Any surplus in any state fund and any retirement or trust fund, where the investment thereof is permitted or required by law, may be invested in bonds issued by the authority. Unless otherwise directed by the court having jurisdiction thereof, or the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest trust funds in the bonds of the authority.

Section 17. Use of Proceeds from Sale of Bonds. All proceeds derived from the sale of any bonds (except refunding bonds) sold by the authority remaining after payment of the expenses of issuance thereof shall be turned over to the state treasurer, shall be carried by him in a special account to the credit of the authority. Such account shall be subject to be drawn on by the authority, solely for the purposes of acquiring the building sites described hereinabove, the removal or renovation of existing structures on such property and the construction of parking facilities on such property; constructing and equipping of public office building facilities (including vehicle parking facilities) for the state highway department; altering, constructing additions to, improving and equipping the existing State Highway Building and all reasonable and necessary expenses incidental thereto, including interest which shall accrue on said bonds during the construction, renovation and removal of said building or buildings and for a period not exceeding six months thereafter, and of transferring to the Alabama Building Authority and the Alabama Building Finance Authority, respectively, the portions of the principal amount of the bonds provided in this act for each of such authorities to be used only for the purposes herein prescribed. Any balance of said proceeds thereafter remaining shall, upon completion of the projects for which the bonds were issued and the payment of all costs in connection therewith, be transferred to the reserve fund account of the authority. All proceeds from the sale of refunding bonds issued by the authority remaining after paying the

expenses of their issuance shall be used only for the purpose of refunding the principal of bonds of the authority theretofore issued under this act and then outstanding and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded.

Section 18. Construction of Buildings. All buildings constructed by the authority hereby established or by the Alabama Building Authority or the Alabama Building Finance Authority shall be constructed according to plans and specifications of architects or engineers selected by the Building Commission created by Act No. 128 adopted at the 1945 Regular Session of the Legislature of Alabama (hereinafter called "the commission"). Construction authorized in this act shall be done under the supervision and direction of the commission or any agency designated by the legislature as its successor, following award for each part of the work to the lowest responsible bidder after advertising for receipt and public opening of sealed bids; provided, that the invitations for bids and the bidding documents shall be so arranged that any alternates from the base bid shall constitute cumulative deductions from the base bid and in determining the lowest bidder, if funds are insufficient to construct the building on the lowest base bid, then the commission may proceed to consider the bids upon the basis of the base bids of all bidders minus the respective reductions stated for the first alternate, and if the lowest bid so determined is not then within the funds available, the commission shall proceed to consider the base bid minus the first and second alternates together to determine the lowest bid, and in like manner throughout all alternates, if need be, so that in no event shall there be any discretion as to which alternate or alternates will be used in determining the lowest responsible bidder. All such contracts shall be lump sum contracts. All contracts for the entire work shall be awarded at the same time but notice to proceed may be withheld until prior work under another contract has progressed to a point where the joint or following work can best be coordinated for the earliest completion of the entire project in a sound and workmanlike manner. The contract shall be executed by the authority upon the determination of the commission as to the lowest bidders, respectively. Payments made by the authority under the construction contracts shall be upon the contractor's written sworn request only if endorsed as approved by the commission or in any lesser amount the commission shall endorse as having been then earned on said contract. The authority and the commission shall agree to a construction cost estimate including reimbursement to the commission of its reasonable direct costs in having plans, specifications and contract documents prepared and in supervising and inspecting the work. After the contracts have been awarded such construction cost estimate shall be revised and all extras on the contracts shall be awarded within the funds available. As promptly as may be practicable after the effective date of this act, the commission shall proceed with the preparation of plans, specifications and bidding documents so that bids may be asked as near to ninety days after the effective date hereof as is possible.

Section 19. Conveyance to Authority by State. The governor of Alabama is authorized to execute and deliver immediately before or simultaneously with the issuance of the first bonds of the authority an appropriate deed conveying to the authority parcel 3 of the Old Kilby Prison property and any land belonging to the state in the vicinity of the Capitol Building block, situated in the County of Montgomery, Alabama. Upon delivery of such deed to the authority it thereby shall be invested with all rights and title that the State of Alabama had in the property conveyed thereby, subject to the right of reverter to the state upon the dissolution of the authority. The consideration for said con-

veyance shall be the authority's agreement to reconvey said land to the State, with all improvements thereon free of charge, immediately before the dissolution of the authority. Since said land would otherwise remain unimproved, said consideration is hereby conclusively determined to be valuable, adequate and fair. Immediately prior to its dissolution the authority shall also convey to the State all other assets acquired by the authority, whether by purchase, gift, grant or otherwise, provided the terms of the grant are not violated thereby.

Section 20. Creation of Fund for the Benefit of the Bonds. For the purpose of providing funds for the payment of the principal of and interest on the bonds issued by the authority under the provisions of this act, there is hereby created and irrevocably pledged to the payment of such obligations a special and continuing trust fund which shall consist of all receipts and income from rents contracted for and received by the authority and also all the receipts and income from rents contracted for and received by the Alabama Building Authority and the Alabama Building Finance Authority under leases of the building or buildings constructed or renovated with the proceeds from the sale of the bonds. There shall be created within said special and continuing trust fund a reserve fund account of said authority in the state treasury in which shall be placed as a trust fund and held separate and apart from all other moneys of the state or of the authority, (1) any moneys left after the completion of the projects prescribed herein and the payment of all costs in connection therewith and in connection with the issuance of the bonds, and, (2) all excess rentals and other surplus income from the building or buildings constructed or renovated with the proceeds from the sale of the bonds remaining each fiscal year after payment of all charges and expenses of operating and maintaining such building or buildings during such fiscal year, including all payments required to be made during such fiscal year with respect to the bonds issued for such building or buildings. Said reserve fund shall be held by the state treasurer in trust for the authority and the holders of its bonds and may be invested only in securities which are either direct obligations of the United States of America or fully guaranteed as to principal and interest by the United States of America. Said reserve fund shall be used (1) to pay, when due and payable, any installment of principal or interest or both on the bonds for which said fund was created which cannot be paid out of current revenues or other moneys of the authority, and, (2) to pay any costs incurred by the authority, the Alabama Building Authority and the Alabama Building Finance Authority in connection with any capitol improvements or renovations to any building or buildings constructed with the proceeds of the bonds authorized in this act. Said funds shall not be diverted or used for any other purpose. There shall also be created in said special and continuing trust fund an account thereof in which shall be deposited, segregated and held only the amounts reasonably estimated to be necessary for the maintenance, operation and upkeep of said buildings with all excess moneys at the end of each fiscal year being transferred to the reserve fund.

Section 21. Pledge and Lien for Benefit of Bonds. In the proceedings authorizing the issuance of any of its bonds, the authority is authorized and empowered to pledge for the payment of the principal of and interest on such bonds at the respective maturities of said principal and interest, and to agree to use solely for such purpose, all the revenues which under the provisions of Section 20 hereof are provided for the payment of the said principal and interest. In said proceedings the authority may further provide and create, as security for the payment of said principal and interest, a statutory lien upon the buildings and properties for the acquisition and construction of which the bonds

are issued. Such statutory lien shall not be subject to foreclosure and, in the event of default in the payment of any such principal or interest, the remedies thereunder shall be limited to a remedy by way of mandamus and to the appointment, as a matter of right, by any court having equity powers and having jurisdiction over the authority, of a receiver in equity with all the powers of such a receiver, except the power to sell the said buildings and properties. Upon the issuance of any bonds pursuant to this act the authority shall file in the office of the judge of probate of Montgomery County, Alabama, an instrument reciting the issuance of such bonds and the pledge of said revenues and the creation of said statutory lien as security therefor, and the filing of such instrument shall constitute constructive notice of said pledge and lien. Such instrument shall be received and recorded by said judge of probate upon the payment of the fee for the recording of mortgages but no tax shall be payable with respect thereto.

Section 22. State Treasurer to Disburse Funds. Out of the revenues referred to in Section 20 hereof, the state treasurer is authorized and directed to pay the principal of and interest on the bonds as such principal and interest shall respectively mature, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 23. Terms and Conditions of Leasing by Authority. The authority and the presiding officers of the Alabama Senate and the Alabama House of Representatives on behalf of the legislative branch of the State of Alabama, and the authority and the executive head of any agency, board, commission, public corporation, bureau or department of the State of Alabama, or the successor in office and duties of such executive head, are hereby authorized to enter into a lease or leases for the use and occupancy of offices, rooms, corridors, storage and other usable space in the building or buildings constructed by or maintained or renovated the authority under the provisions of this act. Such presiding officers and executive heads are hereby separately authorized to enter into lease agreements for the use and occupancy of any space in the said building or buildings. It is hereby expressly provided, however, that the authority shall not enter into any lease with the executive head of any agency, board, commission, public corporation, bureau, or department of the State of Alabama, so long as any space is vacant in the building or buildings presently owned by either Alabama Building Corporation or Alabama Building Authority or Alabama Building Finance Authority; provided, (a) that the restriction contained in this sentence shall not apply to storage space in any building or buildings owned by Alabama Building Corporation if the board of directors of Alabama Building Corporation and the Governor agree that the available space in the building or buildings owned by Alabama Building Corporation is not suitable for the use of the agency desiring to lease other space, (b) that the restriction contained in this sentence shall not apply to storage space in any building or buildings owned by Alabama Building Authority if the board of directors of Alabama Building Authority and the Governor agree that the available space in the building or buildings owned by Alabama Building Authority is not suitable for the use of the agency desiring to lease other space, (c) that the restriction contained in this sentence shall not apply to storage space in any building or buildings owned by Alabama Building Finance Authority if the board of directors of Alabama Building Finance Authority and the Governor agree that the available space in the building or buildings owned by Alabama Building Finance Authority is not suitable for the use of the agency desiring to lease other space and (d) that the restriction contained in this sentence shall not apply to leases executed by either of such presiding officers. The au-

thority may also enter into leases with individuals whose names have been submitted to and approved by the Legislative Building Committee with respect to concession space such as space for a cafeteria, lunch room, or vending machines, if it shall determine that such concession will not interfere with, but will better serve, the occupants of the office building or buildings owned by the authority. No free space shall be available in any of the said buildings so long as the principal of or interest on any bonds, including refunding bonds, issued by the authority remains unpaid. Should any space become vacant in any building constructed by the authority, and should no suitable space be available in any of the buildings presently owned by either Alabama Building Corporation or Alabama Building Authority or Alabama Building Finance Authority, then no agency, board, bureau, commission, public corporation or department of the State of Alabama shall rent any further space or renew any lease for space in or about the City of Montgomery for office use or storage space until after all of the vacant space in the buildings owned by the authority shall have been filled; provided, that the foregoing restrictions in this sentence shall not apply to storage space only if the board of directors of the authority and the Governor agree that the space in the buildings owned by the authority is not suitable for the use of an agency desiring to lease other space. It is further provided that the authority shall lease space in such buildings only to presently existing state agencies which are currently leasing office space from private business. It is hereby covenanted that no building hereafter built shall be required to be occupied by any state agency other than the agency for which such later constructed building is expressly built until the space in the buildings constructed by the authority is filled, and that whenever space in the buildings constructed by the authority is, or is about to become, vacant, uneconomic reconditioning of other office quarters will not be undertaken if leasing space in the buildings constructed by the authority is more advantageous to the agency in question.

Leases between the authority and the legislative branch of the State of Alabama or any state agency shall be in such form as not to constitute a debt of the State of Alabama. Any such lease may contain and grant to the lessee therein successive options of renewing the said lease on the terms specified therein for any subsequent fiscal year, provided that liability for the payment of the rent shall never be for a term longer than one fiscal year. Any such lease may contain appropriate provisions as to the method by which the lessee may, at its election, exercise any of the said options of renewal. Any grants received by any lessee from the federal government for the making of rental payments, to the fullest extent permitted by the conditions thereto attached, shall be held in the state treasury in a special account to be automatically transferred, when available, to the special trust fund of the authority. To the extent that there is any state appropriation for the rental of the space so represented by a federal grant, said state appropriation shall lapse pro tanto for the period of rental payment represented by said federal grant.

Rental payments by the legislative branch of the State of Alabama and by state agencies shall be due in advance on the first day of the fiscal year and shall upon being so paid entitle the branch or the agency to quiet possession and maintenance, repairs, utilities and other customary office building services, as agreed on in the applicable lease for the remainder of said fiscal year. The rental payment for the first year or part of a year shall be due and payable when the authority notifies the tenant that the space is tenantable, and the rent for the remainder of the then current fiscal year shall be prorated in the same proportion as the number of days then remaining in the then current fiscal year bears to the total number of days in such fiscal year.

Section 24. Terms and Conditions of Leasing by Alabama Building Authority and by Alabama Building Finance Authority. The Alabama Building Authority and the executive head of any agency, board, commission, public corporation, bureau or department of the State of Alabama, or the successor in office and duties of such executive head are hereby authorized to enter into a lease or leases for the use and occupancy of offices, rooms, corridors, storage and other usable space in an addition annex or enlargement authorized under this act to the building or buildings heretofore acquired, constructed, renovated maintained and operated by such Alabama Building Authority. All such leases shall be made on the same terms and same conditions that apply to leases of the existing office building facilities acquired, constructed, maintained and operated pursuant to Act No. 205 of the Regular Session of 1955.

The Alabama Building Finance Authority and the executive head of any agency, board, commission, public corporation, bureau or department of the State of Alabama, or the successor in office and duties of such executive head are hereby authorized to enter into a lease or leases for the use and occupancy of offices, rooms, corridors, storage and other usable space in an addition, annex or enlargement authorized under this act to the building or buildings heretofore acquired, constructed, maintained and operated by such Alabama Building Finance Authority. All such leases shall be made on the same terms and conditions that apply to leases of the existing office building, facilities acquired, constructed, maintained or operated pursuant to Act No. 658 of the Regular Session of 1961.

The Alabama Building Authority and the Alabama Building Finance Authority shall, each agree to pay over to the Alabama Capital Building Authority all the revenues, which under Section 20 of this act are provided for the payment of the principal and interest on such of the bonds of said Alabama Capitol Building Authority as are issued to obtain funds for the acquisition, construction and equipping of the facilities from which the revenues are derived.

Section 25. Presumption of Validity of Bonds and Publication of Notice Thereof. Any resolution authorizing any bonds hereunder shall contain a recital that they are issued pursuant to the provisions of this act, which recital shall be conclusive evidence that said bonds have been duly authorized pursuant to the provisions of this act, notwithstanding the provisions of any other law now in force or hereafter enacted or amended. Upon the passage of any resolution providing for the issuance of bonds under the provisions of this act, the authority may, in its discretion, cause to be published once in each of two consecutive weeks in a newspaper published and having general circulation in the City of Montgomery a notice in substantially the following form (the blanks being first properly filled in):

"Alabama Capitol Building Authority, an agency of the State of Alabama, on the _____ day of _____, 19____, adopted a resolution providing for the issuance of _____ dollars principal amount of bonds of said authority. Any action or proceeding questioning the validity of said resolution or said bonds or the pledge and agreements made in said resolution for the benefit thereof, or the proceedings under which said bonds, pledge and agreements were authorized, must be commenced within twenty days after the first publication of this notice.

Alabama Capitol Building Authority

By _____
Its President"

Any action or proceeding in any court seeking to set aside or invalidate a resolution providing for the issuance of bonds under the provisions of this act or to contest the validity of any such bonds, or the validity of any pledge or agreement made therefor, must be commenced within twenty (20) days after the first publication of said notice. After the expiration of twenty (20) days following such first publication, no right of action or defense founded upon the validity of the resolution or other proceedings, if any, or of the bonds, or of the pledge or agreements, shall be asserted. In the event of such publication the validity of such resolution, proceedings, bonds, pledge or agreements shall not be open to question in any court upon any ground whatever, except in any action or proceeding commenced within such period. Any such action and any action to protect or enforce any rights under the provisions of this act shall be brought in the circuit court of Montgomery County.

Section 26. Dissolution of the Authority. When all securities issued by the authority and all obligations assumed by it under the provisions of this act shall have been paid in full, the then president of the authority shall thereupon execute and deliver in the name of and in behalf of the authority an appropriate deed, or deeds, to which the seal of the authority shall be affixed and attested by the secretary of the authority, whereby there shall be conveyed to the state all the buildings, properties and other assets then owned by the authority. The then officers and directors of the authority shall at such time file with the secretary of state a written statement, subscribed and sworn to by each of them, reciting the payment in full of all bonds theretofore issued by the authority and the execution and delivery of such deed or deeds to the state, which statement shall be filed by the secretary of state and recorded with the certificate of incorporation of the authority, whereupon the authority shall stand dissolved.

Section 27. Severability Clause. The provisions of this act are severable. In the event any section or part thereof is declared invalid, such declaration shall not affect the validity of the part and sections which remain.

Section 28. Effective Date of Act. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 540. To repeal Act 519, H. 1172 of the 1975 Regular Session (Acts 1975, p. 1165) entitled "Relating to all counties having a population of 90,000 to 100,000 inhabitants according to the most recent Federal Decennial Census; to provide that all county boards of education in such counties, shall have the power to borrow against revenues derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such counties, at any time in the future vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed and its becoming effective upon its signing by the Governor or it otherwise becoming law."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 401. To amend further Title 51, Section 21, Code of Alabama 1940, so as to provide a definition for heavy duty equipment and to provide that a tax lien shall attach to all heavy duty equipment brought into or situated in this state at any time of the year and to provide for the payment of an ad valorem tax to be computed on a quarterly basis on said equipment.

McDOWELL LEE
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 482. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1978.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Owen, Powell, and Perloff.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 218. To regulate further the compensation of certain public officers; to provide for such a salary adjustment for Alabama state troopers and police communications officers as will bring the salaries of these employees of the Department of Public Safety to a level approximating the average salary of like employees in the Southeastern United States; to make an appropriation to implement this act; and to repeal conflicting laws.

And said Bill, H. B. 218, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 72. To make child abuse a criminal offense in Alabama; to define the offense of child abuse; and to prescribe the penalty to be imposed on any person found guilty of such offense.

Also:

H. 1. To amend the title and Section 1 of Act No. 1137, H. 1757, 1973 Regular Session [Acts of 1967, p. 1921; now appearing in Code of Alabama, Recompiled 1958, Title 36, Section 58(74c)] entitled, "An Act To authorize the State Safety Coordinating Committee in allocate any of its funds to the Department of Education to establish a special fund to be designated as the "Driver Education and Training Fund" for the express purpose of instituting and conducting a program of preclicensing driver education and training"; so as to extend the allocation of driver education funds to any educational institution in Alabama.

Also:

H. 145. To further amend Section 33 of Act No. 100, H. 94, 1959 Second Special Session (Acts of 1959, p. 315), as amended, entitled "An Act To raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented," so as to exempt LP gas used by agricultural producers from the state sales tax.

Also:

H. 36. To amend further Section 2, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to provide that where any used part of an automotive vehicle or a truck trailer, semitrailer or a house trailer is taken in trade as a credit or part payment on the sale of a new or rebuilt part, the sales tax shall be paid on the net difference, and to provide that this provision shall not be construed to include tires and batteries.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 384. Providing that the governing body of each county may pay the expenses incurred by its Judge of Probate and personnel in his office for membership in his State and National organization, and for attendance upon State or National conferences, schools or other functions pertaining to their offices.

Also:

H. 715. To allow individual taxpayers as a state income tax deduction for the taxable year an amount equal to the aggregate of the net operating loss carryover to such year, plus the net operating loss carrybacks to such year.

Also:

H. 832. TO AMEND Section 8 of Act No. 516 enacted at the 1955 Regular Session of the Legislature of the State of Alabama, as amended, relative to Medical Clinic Boards (codified as Section 11-58-10 of the Code of Alabama 1975), to provide that the principal amount of any refunding bonds that may be issued, shall not exceed the principal of the bonds to be refunded, any expenses estimated to be incurred in connection with such refunding and interest (accrued or to accrue) to

the respective maturity dates of the bonds to be refunded or, if the bonds to be refunded are to be called for redemption, either on the earliest date on which under their terms they may be redeemed or some later date or dates, the interest (accrued or to accrue) on the bonds to be refunded to the date or dates on which they are to be called for redemption, plus the amount of any redemption premium required by their terms to be paid as a condition to their redemption prior to their respective maturities.

Also:

H. 467. To amend Title 52, Section 37, of the Code of 1940 (pertaining to the power of the State Board of Education and public corporations conducting state educational institutions to borrow money for certain purposes) so as to clarify the power of the Board and such corporations to issue refunding securities to refund, in addition to principal and redemption premium, interest accrued or to accrue in the future on any securities to be refunded.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN LOST

The motion offered by Mr. Hopping that the House adjourn until 10:00 o'clock a.m., Monday, May 16, 1977, was lost.

Yeas 34; Nays 38.

Yeas:

Mr. Speaker, Buskey, Carter, Cates, Clark, Coburn, Folmar, Goodwin, Greer, Harrison, Hilliard, Hopping, Howard, Jolly, Kennedy, Killian, Lee, Leonard, Lewis, Lockett, McNair, Merrill, Moore (O), Pegues, Riddick, Robertson, Sasser, Smith (J), Smith (M), Starkey, Tucker, Weeks, Whatley and White.

—34

Nays:

Messrs.: Armstrong, Barron, Biddle, Boles, Brindley, Callahan, Dial, Drake, Falkenburg, Ford, Gafford, Hall, Hill, Holley, Holmes (A), Johnstone, McCluskey, McCulley, McMillan, Manley, Moore (W), Naramore, Owens, Plaster, Quarles, Roberts, Sandusky, Smith (B), Smith (C), Sonnier, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Wyatt and Younce.

—38

S. 62 RESUMED

The question was then on the adoption of the substitute offered by Mr. Moore (W) to the bill, S. 62 as amended.

SUBSTITUTE MOTION ADOPTED

The substitute motion offered by Mr. Hill that further consideration of the bill, S. 62 as amended and with pending substitute, be temporarily postponed, was adopted.

Yeas 81; Nays 3.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Goodwin,

Greer, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White and Younce.

—81

Nays: Messrs.: Morris, Robertson and Wyatt.

—3

S. 62 TEMPORARILY POSTPONED

On substitute motion offered by Mr. Hill, the bill, S. 62 as amended and with pending substitute, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 41. To grant to counties and municipalities acting separately or jointly the power to acquire and develop industrial or commercial parks, to sell or lease all or part of said parks to private enterprises or other public entities, and to finance such acquisition and development by the issuance of general obligation warrants and refunding warrants of the participating governmental units, to authorize the pledging of taxes in payment thereof, to exempt actions hereunder from other laws of the state, including those respecting financial control, and to declare the provisions hereof severable.

Also:

H. 596. To make an appropriation from the earnings of the Alabama State Docks in Mobile for the relief of Aubry Price of Mobile.

Also:

H. 1218. To amend Alabama Acts No. 1205 (Regular Session 1975) to establish the procedure for court personnel joining the state personnel system to transfer to the state employees' retirement plan; to establish the procedure by which such personnel may receive or purchase prior service credit; and to assure continuation of other benefits which were in effect for such employees on August 1, 1975.

Also:

H. 683. Regulating further license plates to be used on motor vehicles; providing for distinctive license plates for vehicles owned by members of certain organizations; and exempting such members from privilege or license tax and registration fees levied on automobiles and motor vehicle.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

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H. 361. To amend further Section 91 of Title 36, Code of Alabama (1940), which authorizes the Director of the Highway Department to issue special permits for movement of certain oversized and overweight vehicles and loads on the state highway system and to collect fees for the issuance of such permit.

by a majority of the whole number elected to the Senate, said vote being Yeas 22, Nays 0.

And said Bill, H. B. 361, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 469. To set forth a declaration of public policy and legislative intent; to define terms used herein; to require that persons detonating blasting agents and/or explosives be examined and licensed by the State of Alabama; to provide for the payment of fees for examinations and licenses; to provide for the suspension and revocation of licenses and for hearings and appeals in connection therewith; to provide for the licensing of certain persons experienced in blasting without examination upon the payment of a fee; to provide certain standards of blasting safety including notification to owners of certain types of properties and requiring that protective measures be taken when needed in regard to such properties, the covering of a certain type of detonating cord in certain circumstances, prohibiting the impeding of traffic by the throwing of blasted material on highways without prior agency approval and the prohibition of night time blasting except when necessary for safety of operations or with prior approval of Agency; to establish standards for blasting including establishing a peak particle velocity of ground motion at certain locations, the establishing of formulae for regulating the amounts of blasting agents and/or explosives allowable under certain conditions and establishing a table of such amounts; to provide for monitoring of blasting by seismological devices and prescribing criteria for their design and use; to establish a formula for computing certain effects of blasting; to establish permissible occasions for the use of seismographic equipment; to provide for the keeping of certain records and their availability for examination by the state; to require that those engaged in blasting operations obtain property damage and personal injury liability insurance; to establish penalties for the violation of this Act; to provide for the administration of this Act by the Department of Industrial Relations and by the Alabama Surface Mining Reclamation Commission; to provide a severability clause; to repeal certain laws and to prohibit the enactment of local, county, or municipal regulations; to establish powers of the administering agencies; to establish a short title, and to provide for an effective date.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Wilson, Teague, and Littleton.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Crowe offered the motion that the House accede to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 469.

SUBSTITUTE MOTION TABLED

On motion of Mr. Crowe, the substitute motion offered by Mr. Killian that the House not accede to the request of the Senate for a Committee on Conference on the bill, S. 469, was tabled.

Yeas 42; Nays 34.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Callahan, Carothers, Carter, Cooper, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Gafford, Holmes (A), Jackson (F), Kelley, Kinsey, Lee, McMillan, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Robertson, Sandusky, Smith (C), Sonnier, Sparks, Turnham, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—42

Nays:

Messrs.: Albright, Barron, Boles, Buskey, Campbell, Cates, Coburn, Ford, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes (D), Johnson, Johnstone, Jolly, Kennedy, Killian, Leonard, Lewis, Lockett, McNair, Martin, Quarles, Rich, Riddick, Roberts, Smith (B), Taylor, Trammell, Tucker and Whatley.

—34

The question was again on the motion offered by Mr. Crowe that the House accede to the request of the Senate for a Committee on Conference on the bill, S. 469,

MOTION TO TABLE LOST

The motion offered by Mr. Tucker to table the motion offered by Mr. Crowe was lost.

Yeas 26; Nays 58.

Yeas:

Messrs.: Albright, Barron, Boles, Buskey, Cates, Ford, Gregg, Hall, Harrison, Hill, Hilliard, Holmes (D), Hopping, Howard, Jolly, Kennedy, Killian, Leonard, Lockett, McNair, Rich, Riddick, Smith (B), Smith (J), Trammell and Tucker.

—26

Nays:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Callahan, Campbell, Carothers, Carter, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Gafford, Greer, Harris, Holmes (A), Jackson (F), Johnson, Kelley, Kinsey, Lee, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Roberts, Robertson, Sandusky, Sasser, Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Turnham, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—58

The question was again on the motion offered by Mr. Crowe that the House accede to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 469, and the motion was adopted.

Yeas 66; Nays 15.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Callahan, Carothers, Carter, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Greer, Harris, Hines, Holley, Holmes (A), Holmes (D), Jackson (F), Johnstone, Kelley, Kinsey, Lee, Lewis, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Turnham, Waggoner, Warren, Weeks, Whately, White, Williams, Wyatt and Younce.

—66

Nays:

Messrs.: Barron, Buskey, Cates, Hall, Harrison, Hill, Hilliard, Johnson, Kennedy, Killian, Leonard, Lockett, McNair, Quarles and Smith (J).

—15

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Waggoner, Sandusky and Killian.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 484. To provide for the salary of the Governor.

Also:

H. 486. To make appropriations for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1978.

Also:

H. 490. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County for the fiscal year ending September 30, 1978.

Also:

H. 491. To make appropriations for the support and maintenance of Talladega College.

Also:

H. 492. To make appropriations for the support and maintenance of the Walker County Junior College located in Jasper, Walker County, Alabama for the fiscal year ending September 30, 1978.

Also:

H. 493. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Also:

H. 196. To amend Code of Alabama 1940, Title 45, Section 144, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1035. To amend the title and sections 2 and 3 of Act No. 481, H. 1193, 1976 Regular Session (Acts of 1976, p. 597), entitled "To regulate the registration and identification of certain trailers in all counties having a population of not less than 60,000 nor more than 68,000 inhabitants according to the 1970 or any subsequent federal decennial census and prescribe penalty for violations", so as to change the method of identification, to increase the penalty for failing to pay registration fee at the proper time, to provide for the allocation of revenue received from such penalty, to replace the term house trailer with mobile home and to properly number the sections.

Also:

H. 549. To amend Section 2 of Act No. 929, H. 1822, Regular Session 1975 (Acts 1975, p. 3) relating to amendment of the retirement system of the City of Prichard by changing the effective date of said act.

Also:

H. 295. Relating to the thirteenth judicial circuit; providing for an additional circuit court judge in such circuit and prescribing the duties, authority, and compensation of such judge.

Also:

H. 1228. Relating to Dale County; to provide that the county commission, with the approval of the county engineer, shall regulate the planning and construction of all public streets, public roads and drainage structures and require proper placement of public utilities to be located in proposed subdivisions of land or in proposed additions to subdivisions of land existing at the time of the enactment of this Act where such subdivisions are situated outside the corporate limits of any municipality in such county provided that such placement of public utilities shall not be inconsistent with the Southern Standard Building Code, State and Federal laws and regulations of State and Federal regulatory agencies; to further provide for exercise of jurisdiction by counties over proposed subdivisions within the jurisdiction of municipal planning

commissions and to provide for agreement of jurisdiction by counties with affected municipalities.

Also:

H. 830. Relating to all counties having a population of not less than 90,000 nor more than 100,000 according to the 1970 or any subsequent federal decennial census; to further amend Section 4 of Act No. 809, H. 1274, 1965 Regular Session (Acts of 1965, p. 1511), as amended, relating to the administrative consultant to the circuit clerk so as to increase the annual salary of the person holding office as an administrative consultant to the circuit clerk of such counties.

Also:

H. 1234. Relating to St. Clair County; to provide that all clerks in the probate judge's office shall be empowered to accept applications for voter registration at any time the probate office is open for business; and to direct the county governing body to provide an additional clerk for said probate offices.

Also:

H. 1149. To provide for the establishment of a merit system for certain county and municipal law enforcement officers in Escambia County, Alabama, and a merit system board governing the removal and official conduct of such officers; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Also:

H. 1134. To provide for a pay increase for sworn law enforcement officers with full peace officer authority in the service of the state, and to appropriate necessary funds.

Also:

H. 698. To appropriate monies from the Alabama Special Educational Trust Fund for support of "Opportunities Industrialization Centers" designed to enable certain economically disadvantaged, unemployed and underemployed persons to secure and retain employment at their maximum capacity and to prescribe regulations applicable to the expenditure of such monies.

Also:

H. 503. To name the new National Guard Armory in Troy, Alabama the "Ralph Wyatt Adams National Guard Armory."

Also:

H. 1158. Amending Title 30, Section 40 of the Code of Alabama, 1940, relating to the establishment of foreign trade zones so as to authorize county and municipal governing bodies and private and public corporations to establish and operate such zones at all ports of entry within the State of Alabama.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 358. NAMING SECTIONS OF HIGHWAY U. S. 90.

Also:

H. J. R. 359. NAMING A SECTION OF HIGHWAY U. S. 31 NORTH.

Also:

H. J. R. 360. NAMING A SECTION OF STATE HIGHWAY 225.

Also:

H. J. R. 476. EXTENDING APPRECIATION TO DR. MYRON D. FOTTLER FOR HIS REPORT PREPARED FOR THE LEGISLATIVE MEDICAID COMMITTEE.

Also:

H. J. R. 529. NAMING THE TWO BRIDGES ON U. S. HIGHWAY 231 SOUTH, CROSSING PEA RIVER, "VETERANS MEMORIAL BRIDGE".

Also:

H. J. R. 567. NAMING CAMDEN STATE PARK THE "ROLAND COOPER STATE PARK".

Also:

H. J. R. 569. COMMENDING MRS. LOYCE D. WHITSON, OUTSTANDING SCIENCE TEACHER OF ALABAMA.

Also:

H. J. R. 568. CONGRATULATING REPRESENTATIVE GARY COOPER, COMMANDER OF THE 4th RESERVE BATTALION, 14th MARINES, 4th MARINE DIVISION.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 218. To regulate further the compensation of certain public officers; to provide for such a salary adjustment for Alabama state troopers and police communications officers as will bring the salaries of these employees of the Department of Public Safety to a level approximating the average salary of like employees in the Southeastern United States; to make an appropriation to implement this act; and to repeal conflicting laws.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 72. To make child abuse a criminal offense in Alabama; to define the offense of child abuse; and to prescribe the penalty to be imposed on any person found guilty of such offense.

Also:

H. 1. To amend the title and Section 1 of Act No. 1137, H. 1757, 1973 Regular Session [Acts of 1967, p. 1921; now appearing in Code of Alabama, Recompiled 1958, Title 36, Section 58(74c)] entitled, "An Act To authorize the State Safety Coordinating Committee to allocate any of its funds to the Department of Education to establish a special fund to be designated as the 'Driver Education and Training Fund' for the express purpose of instituting and conducting a program of preclicensing driver education and training"; so as to extend the allocation of driver education funds to any educational institution in Alabama.

Also:

H. 145. To further amend Section 33 of Act No. 100, H. 94, 1959 Second Special Session (Acts of 1959, p. 315), as amended, entitled "An Act To raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented," so as to exempt LP gas used by agricultural producers from the state sales tax.

Also:

H. 36. To amend further Section 2, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to provide that where any

used part of an automotive vehicle or a truck trailer, semitrailer or a house trailer is taken in trade as a credit or part payment on the sale of a new or rebuilt part, the sales tax shall be paid on the net difference, and to provide that this provision shall not be construed to include tires and batteries.

Also:

H. 384. Providing that the governing body of each county may pay the expenses incurred by its Judge of Probate and personnel in his office for membership in his State and National organization, and for attendance upon State or National conferences, schools or other functions pertaining to their offices.

Also:

H. 715. To allow individual taxpayers as a state income tax deduction for the taxable year in amount equal to the aggregate of the net operating loss carryover to such year, plus the net operating loss carrybacks to such year.

Also:

H. 832. TO AMEND Section 8 of Act No. 516 enacted at the 1955 Regular Session of the Legislature of the State of Alabama, as amended, relative to Medical Clinic Boards (codified as Section 11-58-10 of the Code of Alabama 1975), to provide that the principal amount of any refunding bonds that may be issued, shall not exceed the principal of the bonds to be refunded, any expenses estimated to be incurred in connection with such refunding and interest (accrued or to accrue) to the respective maturity dates of the bonds to be refunded or, if the bonds to be refunded are to be called for redemption, either on the earliest date on which under their terms they may be redeemed or some later date or dates, the interest (accrued or to accrue) on the bonds to be refunded to the date or dates on which they are to be called for redemption, plus the amount of any redemption premium required by their terms to be paid as a condition to their redemption prior to their respective maturities.

Also:

H. 467. To amend Title 52, Section 37, of the Code of 1940 (pertaining to the power of the State Board of Education and public corporations conducting state educational institutions to borrow money for certain purposes) so as to clarify the power of the Board and such corporations to issue refunding securities to refund, in addition to principal and redemption premium, interest accrued or to accrue in the future on any securities to be refunded.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 361. To amend further Section 91 of Title 36, Code of Alabama (1940), which authorizes the Director of the Highway Department to issue special permits for movement of certain oversized and overweight vehicles and loads on the state highway system and to collect fees for the issuance of such permit.

And finds same correctly enrolled with Executive Amendment.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had ben publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 9. To provide a comprehensive Correctional Incentive Program based on incentive for good conduct and work performed in the general operation of the prison and in prison industrial, agricultural, educational and work-release programs or other bona fide rehabilitative programs; to establish definitive criteria for qualification; to establish definitions for classifications under which sentence reductions may be earned; to prescribe for the loss of correctional incentive sentence reductions; to provide limitation of sentence reductions; to provide for notification of inmates; to provide certain responsibilities of the Board of Corrections and the State Board of Pardons and Paroles; and to repeal specific and conflicting laws.

Also:

H. 643. To authorize the State of Alabama to levy and collect, in addition to all other taxes heretofore imposed by law, an excise and privilege tax on every person severing coal, or lignite within the State of Alabama; to provide that the proceeds collected therefrom be deposited with the Department of Revenue and that there after (1) a portion of said tax be distributed to the governing body of the county within which such severance occurred; (2) a portion of said tax be distributed to the governing body of the municipality within the police jurisdiction or municipal limits of which such severance occurred in an amount based on the tax collected on the severance of coal, or lignite within such police jurisdiction or municipal limits; to establish procedures for the distribution of such funds by the Department of Revenue; to authorize the Department of Revenue or its authorized agents

to inspect the relevant books of each person severing coal, or lignite and to make such reasonable rules and regulations as may be necessary to enforce and collect the tax imposed by this Act; to prohibit, and make null and void, the enactment and implementation by county, municipal or other taxing authorities severance taxes inconsistent with or additional to the provisions of this Act and to effect the repeal of any laws previously passed authorizing the implementation or enactment of any such tax; and to prescribe penalties for the violations of the provisions of this Act.

Also:

H. 778. To create the office of governor's councillor; to prescribe the duties and functions of such officer and to regulate and provide for payment of his compensation; and to give the provisions of this Act retroactive effect.

Also:

H. 1355. To provide for an increase in pay and mileage allowance for members of the Board of Registrars, Board of Equalization and Jury Commission in all counties with a population of 15,400 to 15,625. All such increases are to be paid from the county general fund.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 41. To grant to counties and municipalities acting separately or jointly the power to acquire and develop industrial or commercial parks, to sell or lease all or part of said parks to private enterprises or other public entities, and to finance such acquisition and development by the issuance of general obligation warrants and refunding warrants of the participating governmental units, to authorize the pledging of taxes in payment thereof, to exempt actions hereunder from other laws of the state, including those respecting financial control, and to declare the provisions hereof severable.

Also:

H. 596. To make an appropriation from the earnings of the Alabama State Docks in Mobile for the relief of Aubry Price of Mobile.

Also:

H. 683. Regulating further license plates to be used on motor vehicles; providing for distinctive license plates for vehicles owned by members of certain organizations; and exempting such members from

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privilege or license tax and registration fees levied on automobiles and motor vehicles.

Also:

H. 1218. To amend Alabama Acts No. 1205 (Regular Session 1975) to establish the procedure for court personnel joining the state personnel system to transfer to the state employees' retirement plan; to establish the procedure by which such personnel may receive or purchase prior service credit; and to assure continuation of other benefits which were in effect for such employees on August 1, 1975.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:00 p. m., May 4, 1977:

H. J. R. 336

H. 657

H. 713

H. 760

H. 761

H. 835

H. 894

H. 932

H. 997

H. 998

H. 918

H. 989

H. 1289

H. 783

H. 923

H. 1248

H. 548

H. 551

H. 580

H. 590

H. 637

H. 648

Delivered to the Secretary of State at 3:05 p.m., May 4, 1977:

H. 723 (Constitutional Amendment)

H. 928 (Constitutional Amendment)

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Delivered to the Governor at 4:05 p. m., May 4, 1977:

H. 1135
H. 1137
H. 1139
H. 1140
H. 1141
H. 1170
H. 1182
H. 1183
H. 1217
H. 1223
H. 1226
H. 1227
H. 1233
H. 1235
H. 1243
H. 1246
H. 1018
H. 1048
H. 1069
H. 1081
H. 1084
H. 1108
H. 1109
H. 1111
H. 1126

Delivered to the Governor at 5:50 p. m., May 4, 1977:

H. 33
H. 487
H. 1301
H. 1305
H. 1312
H. 707
H. 712
H. 728
H. 916
H. 968
H. 969
H. 1103
H. 1127
H. 1142
H. 1230
H. 1187
H. 1288
H. 1317
H. 1318
H. 1321
H. 1322
H. 1323
H. 1324
H. 1333
H. 1335
H. 1336
H. 1337
H. 1338
H. 1340
H. 1344
H. 1352

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H. 1358
H. 1359
H. 1361
H. 1320
H. 1202
H. 1247
H. 1252
H. 1267
H. 1271
H. 1272
H. 1273
H. 1277
H. 1285
H. 1293
H. 1297
H. 1298
H. 1299
H. 1300
H. 1296
H. 1302
H. 1304
H. 1316

Delivered to the Secretary of State at 5:50 p. m., May 4, 1977:

H. 1360 (Constitutional Amendment)

Delivered to the Governor at 6:50 p. m., May 4, 1977:

H. 218

Delivered to the Governor at 7:00 p. m., May 4, 1977:

H. 484
H. 486
H. 490
H. 491
H. 492
H. 493
H. 196
H. 1035
H. 549
H. 295
H. 1228
H. 830
H. 1234
H. 1149
H. 1134
H. 698
H. 503
H. 1158
H. J. R. 358
H. J. R. 359
H. J. R. 360
H. J. R. 476
H. J. R. 529
H. J. R. 567
H. J. R. 569
H. J. R. 568

Delivered to the Governor at 7:40 p. m., May 4, 1977:

H. 72

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29th Day

H. 1
H. 145
H. 36
H. 384
H. 715
H. 832
H. 467

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Folmar and pursuant to the resolution, H. R. 571, heretofore adopted, the House adjourned until 10:00 o'clock a.m., Monday, May 16, 1977.

Yeas 45; Nays 42.

Yeas:

Messrs.: Andrews, Baker, Brindley, Buskey, Callahan, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Folmar, Gafford, Goodwin, Greer, Hall, Harrison, Hilliard, Holmes (D), Johnstone, Jolly, Kennedy, Lewis, Lockett, Lutz, McNair, Martin, Merrill, Morris, Quarles, Riddick, Roberts, Robertson, Sandusky, Sasser, Smith (J), Smith (M), Sparks, Tucker, Weeks, Whatley, White, Williams and Younce.

—45

Nays:

Mr. Speaker, Albright, Armstrong, Barron, Biddle, Carothers, Cooper, Drake, Edwards, Falkenburg, Hill, Holley, Holmes (A), Howard, Jackson (F), Johnson, Kelley, Lee, Leonard, McCluskey, McCulley, McMillan, McNees, Manley, Mitchem, Naramore, Owens, Pegues, Plaster, Rich, Shelton, Smith (B), Smith (C), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren and Wyatt.

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THIRTIETH DAY

House of Representatives
Montgomery, Alabama
Monday, May 16, 1977

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Jesse Evans, Pastor, Cottonwood United Methodist Church, Cottonwood, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall,

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Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-ninth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the twenty-ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-ninth legislative day was approved.

LEAVE OF ABSENCE

At the request of Mr. Leonard, leave of absence was granted for Mr. Harrison.

RESOLUTION

The following resolution was introduced:

By Mr. Manley:

H. R. 574. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That at the hour of 12:00 Noon this day, May 16, 1977, the House will stand in recess from 12:00 Noon to 1:30 P.M.

On motion of Mr. Manley, the rules were suspended and the resolution, H. R. 574, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, H. J. R. 572, and ordered same returned to the House with a favorable report:

H. J. R. 572. TO CREATE AND PROVIDE FOR A CONTINUING INTERIM TAX STRUCTURE COMMITTEE.

Mr. Gafford offered the motion to adopt the resolution, H. J. R. 572.

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Mr. Campbell to indefinitely postpone the resolution, H. J. R. 572, was lost.

Yeas 19; Nays 32.

Yeas:

Messrs.: Andrews, Barron, Campbell, Cross, Dial, Greer, Hall, Hill, Johnson, Jolly, Leonard, Lockett, Lutz, Plaster, Quarles, Rich, Smith (C), Venable and Whatley.

—19

Nays:

Mr. Speaker, Armstrong, Baker, Biddle, Callahan, Carothers, Cates, Coburn, Crowe, Drake, Edwards, Falkenburg, Gafford, Goodwin, Holmes (D), Jackson (F), Johnstone, Kinsey, McCluskey, McMillan, Martin, Moore (O), Roberts, Sandusky, Sasser, Shoemaker, Sonnier, Waggoner, Weeks, White, Williams and Younce.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION ADOPTED

The question was then on the motion offered by Mr. Gafford to adopt the resolution, H. J. R. 572, and the resolution, H. J. R. 572, was adopted.

Yeas 36; Nays 25.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Callahan, Carothers, Cates, Coburn, Crowe, Drake, Edwards, Falkenburg, Gafford, Goodwin, Hines, Holmes (D), Jackson (F), Kelley, Kinsey, McCluskey, McMillan, Martin, Moore (O), Moore (W), Owens, Roberts, Sandusky, Sasser, Shoemaker, Sonnier, Waggoner, Weeks, White, Williams, Wyatt and Younce.

—36

Nays:

Messrs.: Andrews, Barron, Campbell, Crawford, Cross, Dial, Greer, Hall, Hill, Holley, Howard, Johnson, Jolly, Leonard, Lewis, Lockett, Lutz, Quarles, Rich, Riddick, Smith (B), Smith (C), Tucker, Venable and Whatley.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1013. To amend further Section 18 of Act No. 403, H. 330, 1971 Regular Session (1971 Acts, p. 689), relating to the registration and licensing of barbers and barber apprentices, so as to add Jefferson County to the list of counties to which the Act does not apply.

Also:

H. 1098. To alter, rearrange, extend and redefine the boundaries and corporate limits of the City of Warrior in Jefferson County, Alabama.

Also:

H. 1172. To provide that each manufacturer of malt or brewed beverage selling its products in Jefferson County will designate a sales territory in such County and name an exclusive wholesaler for such territory. To make it unlawful for any retailer of malt or brewed beverage to purchase a brand of malt or brewed beverages from any wholesaler except the wholesaler, designated by the manufacturer, for the territory within which such retailers place of business is located, to provide penalties for the violation of the provisions of this Act, to repeal all laws in conflict herewith.

Also:

H. 1221. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579 et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located," to further define the terms "Basic Monthly Earnings," "Monthly Salary" and "Final Average Salary" in said Act.

Also:

H. 1259. Applying to every County of the State having a population of 500,000 or more according to the last or any subsequent Federal Census; to provide that no member, director, officer or trustee as a member of the Board of Trustees of any public corporation created in any such County pursuant to Act No. 46 of the Regular Session of the Legislature of Alabama of 1949, approved June 2, 1949 (Ala. Acts, 1949, pp. 68-73), as amended, (which appears as Tit. 22, Article V, Subdivision 1, Sections 204(18)-204(30), 1958 Code of Ala. Recomp.), and including a hospital, clinic, or nursing home owned or operated by the County, shall be personally liable for the debts, torts or undertakings of the corporation; nor shall the County, its governing body or the members of its governing body be liable for the debts, torts, or undertakings of the corporation.

Also:

H. 943. To amend Section 2 of Act No. 793, 1975 Regular Session (Acts of 1975, p. 1596), entitled: "An Act Relating to all counties having populations of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; to provide for an additional secretarial assistant for the office of the district attorney and for the offices of circuit judge of the judicial circuit in which such county lies;" so as to increase the compensation of the secretarial assistants for the offices of circuit judge of the judicial circuit in which such county lies.

Also:

H. 1261. Relating to Jefferson County, Alabama; to provide that the Chairman of the Board of Registrars of Jefferson County, Alabama, shall appoint a person to perform the duties which Act No. 1147 of the Regular Session of the Legislature of Alabama of 1975, approved October 10, 1975 (Ala. Acts, 1975, pp. 2251-2257), herein called "Act 1147", imposed, or which any other act now or hereafter providing for absentee voting imposes, on the Register in Chancery in the Bessemer Cut-off of Jefferson County, Alabama, with reference to the handling of absentee ballots; to prescribe the qualifications required of any person appointed under this Act; to provide that the Chairman of the Board of Registrars of Jefferson County, Alabama, may appoint an alternate to serve hereunder in case the person appointed hereunder is disqualified or is not available to serve; to provide that no appointment the Chairman of the Board of Registrars makes hereunder, including the appointment of an alternate to serve hereunder in case the person appointed hereunder is disqualified, or is not available to serve, shall be effective until such appointment has been approved by a written resolution adopted by the governing body of the county; to provide that any person appointed hereunder, including an alternate when serving hereunder, shall have all the powers, duties and responsibilities Act 1147 vested in the Bessemer Cut-off register for the purposes of Act 1147, including the power to administer oaths and also the power to register persons as voters in the Bessemer Cut-off who are qualified under the laws of Alabama to be registered as voters; to provide that no person appointed hereunder, or serving as alternate hereunder, shall receive any salary, compensation or fee for any services performed hereunder; to provide that all provisions of Act 1147 shall apply to any person appointed hereunder, and to any person serving as alternate hereunder, in the same manner and extent to which such provisions would apply to the Bessemer Cut-off register if the Bessemer Cut-off register were performing the duties with reference to handling absentee ballots which are hereby imposed on any person appointed hereunder or on any alternate serving hereunder.

Also:

H. 1290. To amend Section 21 of Act No. 497 of the Regular Session of the Legislature of 1965 (Ala. Acts, 1965, pp. 717, et seq.), and to provide that said amendment shall apply retroactively to the extent provided in said Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 516. To amend Section 9 of Act No. 78, S. 72, 1961 Special Session (Acts of 1961, p. 1960); now appearing in Code of Alabama 1940, Recompiled 1958, Title 46, Section 64 (46), which regulates the licensing of cosmetologists, so as to shorten the time a managing cosmetologist must serve before becoming eligible to apply for a license.

Also:

H. 269. To provide for the attendance of witnesses from outside the state in criminal proceedings and to provide for the summoning of such witnesses and the arrest and service of process; and to provide for the repeal of all laws in conflict; and to provide an effective date.

Also:

H. 419. To amend Title 15, Section 45, Code of Alabama, 1940 (Recompiled 1958) so as to increase the amount that can be offered as a reward for the rearrest or apprehension of certain specified individuals.

Also:

H. 420. To amend Title 15, Section 44 of the Code of Alabama, 1940, (recompiled 1958) so as to increase the amount that can be offered as a reward and also specify the crimes for which the reward can be offered.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 7. To amend the Title and Section 1 of Act No. 1006, H. 111, 1973 Regular Session (Acts of 1973, p. 1541), entitled, "An Act Relating to counties having a population in excess of 600,000 inhabitants; providing that automotive parts businesses, antique dealers, flea markets, gift shops, and shops operated at hospitals, public parks, public airports, public auditoriums and civic centers or bowling alleys in such counties may operate on Sunday," so as to provide that organized trade shows in which no retail sales to the public are permitted and which shows are sponsored by the area chamber of commerce, may operate on Sunday.

Also:

H. 14. To further amend Sections 2 and 18 of an act entitled "an act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal Census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the County affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof." (Approved July 6, 1945, General Acts of Legislature of Alabama, 1945, page 376).

Also:

H. 443. To further amend Section 2 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Acts of Alabama, 1966 Special Session, page 280, et seq.) entitled "An Act to provide a separate retirement and relief system for certain

of the presently active employees of the City of Birmingham who entered the service of the fire department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956, to include in said separate system dependents of said presently active employees; and to render said Act No. 307 and Act Number 22 inapplicable to said certain presently active employees and their dependents".

Also:

H. 444. To amend Section 22 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400) establishing a county wide civil service system for counties with a population of 400,000 or more, as amended by Act No. 562, approved October 9, 1947 (General Acts of Legislature of Alabama, 1947, page 398), by Act No. 670, approved September 16, 1953 (Acts of Legislature of Alabama, Regular Session, 1953, page 927), and by Act No. 1600, approved September 17, 1971 (Acts of Legislature of Alabama Regular Session, 1971, page 2754).

Also:

H. 499. To amend Section 12 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945 (General Acts of Alabama, Regular Session 1945, p. 376, et seq.), to provide for a Pay Plan whereby Merit System Employees may receive Salary increases.

Also:

H. 926. To amend further Section 2 of Act No. 248, H. 580, 1945 Regular Session (Acts of 1945, p. 377; now appearing in Code of Alabama, Recompiled 1958, Appx., Section 646), relating to the establishment of a county civil service system for certain counties, so as to include police officers who are employed by municipalities whose population is 2500 or more according to the last federal census that are located in counties having a population of 400,000 or more inhabitants.

Also:

H. 1023. To provide that any public corporation heretofore or hereafter incorporated and existing under the provisions of Act No. 109, H. 148 of the 1961 Regular Session, as amended, [1961 Acts, p. 134; appearing in Code of Alabama 1940, Recompiled 1958, Title 22, Section 204 (41a)], is authorized and empowered to lease any hospital, building or facility constructed and equipped under the provisions of such act to any public corporation or any non-profit corporation. No rights under the terms of any contract shall be abrogated nor shall any security for the fulfillment of any obligation be jeopardized by the provisions of this act.

Also:

H. 950. To provide that when a vacancy occurs on the governing body of Jefferson County, the Election Commission of Jefferson County shall adopt a resolution providing for a special election, with a run-off election, if necessary, to fill such vacancy; to provide how a person shall become a candidate for the office to be filled; to provide that any person elected to fill a vacancy hereunder shall serve the unexpired term which the person occupying said office when the vacancy occurred would have served if the vacancy had not occurred; to provide that the general laws of the State governing elections shall apply to

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any election held under the Act, except as the Act otherwise provides; to provide that no person shall be appointed to fill such vacancy; and to repeal Section 145, Title 62, Code of Alabama of 1940, and any other laws or parts of laws in conflict with the Act.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Rules Committee:

H. R. 575. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business for May 16, 1977, taking precedence over any other business of the House.

Report of Standing Committees

Commendation and Sympathy Resolutions

Introduction of Bills and Resolutions

Uncontested Local Bills

Unfinished Business

S. 627	p. 33	Seventh Judicial Circuit
S. 45	p. 24	Student Registration
S. 222	p. 17	Court of Criminal Appeals
S. 62	p. 13	Bond Issue
S. 125	p. 20	Identification Alteration
S. 135	p. 16	Nursing
S. 345	p. 17	Nursing
S. 427	p. 18	District Attorneys
S. 824	p. 28	Open End Mortgages
S. 473	p. 20	Bill of Rights
S. 855	p. 27	Service of Process
S. 532	p. 27	Billboard Advertising
S. 182	p. 24	Constitution Convention
S. 193	p. 24	Constitution Convention
S. 260	p. 22	Choice of Doctor
S. 644	p. 19	Salt Dome Storage
S. 426	p. 25	South Alabama
S. 159	p. 5	Check Off Bill
S. 49	p. 10	Sunset Law
S. 216	p. 26	Blind Parents
S. 777	p. 28	Credit Card Insurance
S. 54	p. 32	Business Corporations
S. 11	p. 13	Professional Secretaries
S. 719	p. 21	Capitol Restoration
S. 167	p. 22	Rural Water
S. 722	p. 25	Legislative Reference Salary
S. 395	p. 30	Estates
S. 497	p. 19	Extension Service
S. 397	p. 28	Wide Bus
S. 323	p. 29	Wine Making Kits
S. 336	p. 34	Three Time Loser
S. 113	p. 22	Restitution
S. 308	p. 26	School Administration
S. 487	p. 21	Data Systems Management
S. 403	p. 20	Liability Insurance

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S. 71	p. 16	Civil Defense Agency
S. 394	p. 34	Curator
S. 172	p. 35	Regulating Smoking
S. 492	p. 11	Hazardous Waste
S. 593	p. 12	Solid Waste

SUBSTITUTE OFFERED

Mr. Gregg offered the following substitute to the resolution, H. R. 575:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business for May 16, 1977, taking precedence over any other business of the House.

Report of Standing Committees

Commendation and Sympathy Resolutions

Introduction of Bills and Resolutions

Uncontested Local Bills

Unfinished Business

S. 182	p. 24	Voter Authorization of Constitution Convention
S. 627	p. 33	Seventh Judicial Circuit
S. 45	p. 24	Student Registration
S. 222	p. 17	Court of Criminal Appeals
S. 62	p. 13	Bond Issue
S. 125	p. 20	Identification Alteration
S. 135	p. 16	Nursing
S. 345	p. 17	Nursing
S. 427	p. 18	District Attorneys
S. 824	p. 28	Open End Mortgages
S. 473	p. 20	Bill of Rights
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S. 722	p. 25	Legislative Reference Salary
S. 395	p. 30	Estates
S. 497	p. 19	Extension Service
S. 397	p. 28	Wide Bus
S. 323	p. 29	Wine Making Kits
S. 336	p. 34	Three Time Loser
S. 113	p. 22	Restitution
S. 398	p. 26	School Administration
S. 487	p. 21	Data Systems Management
S. 403	p. 20	Liability Insurance
S. 71	p. 16	Civil Defense Agency

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S. 394	p. 34	Curator
S. 172	p. 35	Regulating Smoking
S. 492	p. 11	Hazardous Waste
S. 593	p. 12	Solid Waste

AMENDMENT OFFERED

Mr. Carothers offered the following amendment to the substitute offered by Mr. Gregg to the resolution, H. R. 575:

Amend H. R. 575 by omitting S. B. 182 from its place and insert S. B. 182 at the bottom of the Special Order.

AMENDMENT TABLED

On motion of Mr. Hill, the amendment offered by Mr. Carothers to the substitute offered by Mr. Gregg to the resolution, H. R. 575, was tabled.

Yeas 71; Nays 13.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Clark, Coburn, Cooper, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (F), Johnson, Jolly, Kelley, Lee, Leonard, Lewis, Lutz, McCluskey, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Smith (B), Smith (C), Sonnier, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Wyatt, Younce and Ward.

—71

Nays:

Messrs.: Andrews, Carothers, Cates, Crawford, Folmar, Johnstone, Kinsey, McMillan, Pegues, Sasser, Shoemaker, Smith (M) and Williams.

—13

SUBSTITUTE TABLED

The question was then on the substitute offered by Mr. Gregg to the resolution, H. R. 575, and on motion of Mr. Drake the substitute was tabled.

Yeas 51; Nays 28.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Callahan, Carothers, Cates, Clark, Cooper, Crawford, Crowe, Drake, Edwards, Falkenburg, Folmar, Gafford, Harris, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, McCluskey, McMillan, Manley, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Rich, Sandusky, Sasser, Shoemaker, Smith (C), Smith (M), Sonnier, Turnham, Venable, Waggoner, Weeks, White, Williams and Younce.

—51

Nays:

Messrs.: Albright, Barron, Brindley, Campbell, Cross, Dial, Ford, Greer, Gregg, Hall, Hilliard, Holley, Holmes (D), Hopping, Howard, Johnson, Jolly, Leonard, Lutz, Martin, Quarles, Riddick, Roberts, Smith (B), Tucker, Warren, Whatley and Wyatt.

—28

RESOLUTION ADOPTED

On motion of Mr. Drake, the resolution, H. R. 575, was adopted.

Yeas 75; Nays 2.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Greer, Hall, Harris, Hill, Hines, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—75

Nays: Messrs. Howard and McNair.

—2

Also:

By Messrs. Greer and Hill:

H. J. R. 576. HONORING PAMELA RHODES FOR WINNING THE STATE SPELLING BEE.

WHEREAS, Miss Pamela Rhodes of Florence, Alabama, recently won the 50th annual Alabama Spelling Bee Contest held in Birmingham, Alabama, successfully spelling the word "doldrum"; and

WHEREAS, the talented eighth-grader from Wilson High School of Florence, Alabama, competed in the Alabama Spelling Bee four consecutive years from 1974 to 1977, placing 22nd in 1974, 8th in 1975, and successfully winning this year in a competitive field of 53 statewide contestants; and

WHEREAS, Pamela, the daughter of Mr. and Mrs. Alfred Rhodes, will compete in the National Spelling Contest in Washington, D. C., to be held June 7-11 of this year; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Miss Pamela Rhodes for winning the 50th annual Alabama Spelling Bee Contest and wish her the very best of luck in the upcoming National Competition.

RESOLVED FURTHER, That a copy of this resolution be sent to Miss Rhodes.

On motion of Mr. Greer, the rules were suspended and the resolution, H. J. R. 576, was adopted.

Also:

By Mr. Smith (C):

H. J. R. 577. COMMENDING MRS AVOLINE LECROY, NEWLY ELECTED 2ND LIEUTENANT GOVERNOR, DISTRICT II, PILOT INTERNATIONAL

WHEREAS, The Legislature of Alabama has noted the election of Mrs. Avoline LeCroy as 2nd Lieutenant Governor, during the annual

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convention of District II, Pilot International, held April 22-24, 1977, in Birmingham, Alabama; and

WHEREAS, Mrs. LeCroy of Clanton, Alabama, who has been a pilot since 1951, has served her club as President, Vice President, Secretary-Treasurer and Director, and in 1975, was chosen Clanton's Most Outstanding Pilot of the Year; she has served on the District level as Internal Affairs Division Coordinator, Patriotic Emblems Chairman and Mass Media Coordinator; and

WHEREAS, in addition to the many responsibilities associated with her active involvement in the Pilot Club, an international civic and service organization of executive business and professional women, Mrs. LeCroy also has contributed immeasurably in other of the civic, charitable and religious areas of her community and county; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do highly commend Mrs. Avoline LeCroy for outstanding service to her community; we further congratulate her on being elected 2nd Lieutenant Governor, District II, Pilot International, and direct that a copy of this resolution be sent to her as a token of our esteem.

On motion of Mr. Smith (C), the rules were suspended and the resolution, H. J. R. 577, was adopted.

Also:

By Mr. Holley:

H. J. R. 578. DEPLORING PRESIDENT CARTER'S PROPOSED SOCIAL SECURITY TAX INCREASE TO BE LEVIED ON EMPLOYERS.

WHEREAS, the Legislature of Alabama notes with displeasure the proposal of President Carter to increase the social security tax levied on employers; and

WHEREAS, employers who must bear the cost of such an increase can be expected to claim these payments as deductions for state income tax purposes; and

WHEREAS, such deductions will inevitably result in great losses of revenue from state income tax proceeds; and

WHEREAS, in the State of Alabama the bulk of state income tax proceeds is placed in the special education trust fund; and

WHEREAS, this fund is already in dire financial straits; and

WHEREAS, other states would likely incur similar detrimental effects from decreased revenues; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deplore President Carter's proposed social security tax increase to be levied on employers and urge further consideration of this proposal in view of the facts herein presented.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to President Carter and each member of the Alabama Congressional Delegation.

On motion of Mr. Holley, the rules were suspended and the resolution, H. J. R. 578, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 19. Proposing an amendment to the Constitution of Alabama further amending Section 144, Article VI, of the Constitution of Alabama; providing for a Probate Court in each county, with general jurisdiction of orphans' business, and adoptions, and with power to grant Letters Testamentary, and of Administration and of Guardianships, and such further jurisdiction as may be provided by law.

Also:

S. 105. Providing further for the residency requirement at institutions of higher learning for any student if one of the student's parents or legal guardians is either an employee of a United States Senator or Congressman representing this state or an officer or employee of the Executive Branch of the federal government on appointment by the President of the United States.

Also:

S. 606. To require that persons or companies bidding on asphalt plant mix to be sold to the State of Alabama shall have such asphalt plants inspected and certified by the Highway Department.

Also:

S. 401. To amend further Title 51, Section 21, Code of Alabama 1940, so as to provide a definition for heavy duty equipment and to provide that a tax lien shall attach to all heavy duty equipment brought into or situated in this state at any time of the year and to provide for the payment of an ad valorem tax to be computed on a quarterly basis on said equipment.

Also:

S. 464. To provide that persons who served two or more years with the National Youth Administration during World War II shall be allowed to make certain contributions into the state retirement systems and shall have such service time credited as state service toward their retirements.

Also:

S. 540. To repeal Act 519, H. 1172 of the 1975 Regular Session (Acts 1975, p. 1165) entitled "Relating to all counties having a population of 90,000 to 100,000 inhabitants according to the most recent Federal Decennial Census; to provide that all county boards of education in such counties, shall have the power to borrow against revenues derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such counties, at any time in the future vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed and its becoming effective upon its signing by the Governor or it otherwise becoming law."

Also:

S. J. R. 358. COMMENDING MRS. THERECIA ROY, LUNCH-ROOM MANAGER AT McADORY SCHOOL.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Starkey:

H. J. R. 579. MOURNING THE TRAGIC DEATH OF JOHN H. NEWMAN, III.

WHEREAS, the Legislature of Alabama, regretfully and with a sense of deep shock, has learned of the tragic and untimely death of John H. Newman, III, who recently was killed in an unfortunate highway collision in Tuscaloosa, Alabama; and

WHEREAS, John Newman, who at the time of his death was only 22 years of age, was a native of Birmingham, grew up in Scottsboro, Alabama, and graduated from Scottsboro High School where he was active in sports, lettered in basketball, was a member of numerous school clubs and organizations and was a delegate to Boys State; and

WHEREAS, he had attended the University of North Carolina in Greensboro, and was a senior at the University of Alabama where he would have graduated in December; and

WHEREAS, this outstanding young man, who was a member of the First United Methodist Church, had exhibited throughout his short and promising lifetime a youthful and aspiring outlook and a vivacity and warmth of personality that served as an inspiration to all those whose lives he touched; he was the grandson of the late Mr. and Mrs. J. H. Newman, Sr., and is survived by his parents, Mr. and Mrs. John H. Newman, Jr., of Scottsboro; a sister, Linda Ann; a brother, Robert Randolph; and his grandparents, Mr. and Mrs. R. E. Bates of Birmingham; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do grievously mourn the tragic death of John H. Newman, III, and direct that copies of this resolution be sent to his family that they may know of our most heartfelt sympathy in their time of such deep sorrow.

On motion of Mr. Starkey, the rules were suspended and the resolution, H. J. R. 579, was adopted.

Also:

By Mrs. Quarles:

H. R. 580. COMMENDING LISA PEOPLES, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Horticulture, to Lisa Peoples who is a student at Duran Junior High School in Pell City, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout her school career, Lisa Peoples is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Lisa Peoples on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Lisa Peoples as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 580, was adopted.

Also:

By Mrs. Quarles:

H. R. 581. COMMENDING PHILLIP DOLLAR, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Welding, to Phillip Dollar who is a student at Odenville High School, Odenville, Alabama, and the son of Mr. and Mrs. J. D. Dollar; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout his school career, Phillip Dollar is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Phillip Dollar on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Phillip Dollar as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 581, was adopted.

Also:

By Mrs. Quarles:

H. R. 582. COMMENDING ANN BARBER, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Cosmetology, to Ann Barber who is a student at Pell City High School, Pell City, Alabama, and the daughter of Mr. and Mrs. Sidney Barber; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout her school career, Ann Barber is notably deserving of recognition and high praise; now therefore,

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BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Ann Barber on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Ann Barber as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 582, was adopted.

Also:

By Mrs. Quarles:

H. R. 583. COMMENDING TAMMY ROBERTS, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Cosmetology, to Tammy Roberts who is a student at Ashville High School, Ashville, Alabama, and the daughter of Mr. and Mrs. Charles Roberts; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout her school career, Tammy Roberts is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Tammy Roberts on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Tammy Roberts as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 583, was adopted.

Also:

By Mrs. Quarles:

H. R. 584. COMMENDING TERRI JONES, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Cosmetology, to Terri Jones who is a student at Springville High School and the daughter of Mr. and Mrs. Gene Jones of Springville, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout her school career, Terri Jones is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Terri Jones on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Terri Jones as evidence of our esteem.

MOTION TO SUSPEND RULES AND ADOPT

Mrs. Quarles offered the motion to suspend the rules and adopt the resolution, H. R. 594.

DIVISION OF THE QUESTION

Mr. White called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES ADOPTED

The question was then on the motion offered by Mrs. Quarles to suspend the rules in order to take up for immediate consideration the resolution, H. R. 584, and the motion was adopted.

On motion of Mrs. Quarles, the resolution, H. R. 584, was adopted.

Also:

By Mrs. Quarles:

H. R. 585. COMMENDING JOEY BAGWELL, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Auto Mechanics, to Joey Bagwell who is a student at Ragland High School, Ragland, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout his school career, Joey Bagwell is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Joey Bagwell on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Joey Bagwell as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 585, was adopted.

Also:

By Mrs. Quarles:

H. R. 586. COMMENDING TIM SEALS, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Building Trades, to Tim Seals who is a student at Odenville High School, Odenville, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout his school career, Tim Seals is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Tim Seals on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Tim Seals as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 586, was adopted.

Also:

By Mrs. Quarles:

H. R. 587. COMMENDING KAREN BARNES, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Business Office Education, BOE Department, to Karen Barnes, a senior at Ashville High School, and the daughter of Mr. and Mrs. J. M. Barnes of Steele, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout her school career, Karen Barnes is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Karen Barnes on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Karen Barnes as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 587, was adopted.

Also:

By Mrs. Quarles:

H. R. 588. COMMENDING KAREN KAY RAGLAND, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Business Office Education, BOE Department, to Karen Kay Ragland who is a student at Ragland High School, Ragland, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout her school career, Karen Kay Ragland is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Karen Kay Ragland on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Karen Kay Ragland as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 588, was adopted.

Also:

By Mrs. Quarles:

H. R. 589. COMMENDING SANDRA COATS, VOCATIONAL EDUCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Clothing, to Sandra Coats, who is a student at Ashville High School, Ashville, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout her school career, Sandra Coats is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Sandra Coats on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Sandra Coats as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 589, was adopted.

Also:

By Mrs. Quarles:

H. R. 590. COMMENDING CYNTHIA SIMMONS, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Clothing, to Cynthia Simmons, who is a student at Ashville High School, Ashville, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout her school career, Cynthia Simmons is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Cynthia Simmons on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Cynthia Simmons as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 590, was adopted.

Also:

By Mrs. Quarles:

H. R. 591. COMMENDING LYNN BARNES, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstand-

ing Student Award, in the area of Tele-Communication, to Lynn Barnes, who is a student at Pell City High School, Pell City, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout his school career, Lynn Barnes is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Lynn Barnes on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Lynn Barnes as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 591, was adopted.

Also:

By Mrs. Quarles:

H. R. 592. COMMENDING HENRY CROW, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Welding, to Henry Crow, a senior at Odenville High School, and the son of Mr. and Mrs. James Y. Crow; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout his school career, Henry Crow is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Henry Crow on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Henry Crow as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 592, was adopted.

Also:

By Mrs. Quarles:

H. R. 593. COMMENDING TOMMY VAUGHN, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Auto Mechanics, to Tommy Vaughn who is a student at Pell City High School, and the son of Mr. and Mrs. Harold Vaughn; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout his school career, Tommy Vaughn is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Tommy Vaughn on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Tommy Vaughn as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 593, was adopted.

Also:

By Mrs. Quarles:

H. R. 594. COMMENDING NANCY HIGGINBOTHAM, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Horticulture, to Nancy Higginbotham, a senior at Ragland High School, and the daughter of Mr. and Mrs. Henry Lee Higginbotham; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout her school career, Nancy Higginbotham is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Nancy Higginbotham on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Nancy Higginbotham as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 594, was adopted.

Also:

By Mrs. Quarles:

H. R. 595. COMMENDING TONY BLAKLEY, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Horticulture, to Tony Blakley, a senior at Ashville High School, Ashville, Alabama, and a member of the American Garden Guild; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout his school career, Tony Blakley is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Tony Blakley on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

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BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Tony Blakley as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 595, was adopted.

Also:

By Mrs. Quarles:

H. R. 596. COMMENDING JESSE CLEM BURTTTRAM, JR., VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Tele-Communications, to Jesse Clem Burttram, Jr. a senior at Ashville High School, and the son of Mr. and Mrs. J. C. Burttram, Sr. of Ashville, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout his school career, Jesse Clem Burttram, Jr. is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Jesse Clem Burttram, Jr. on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Jesse Clem Burttram, Jr. as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 596, was adopted.

Also:

By Mrs. Quarles:

H. R. 597. COMMENDING KATHY DIANNE MCDANIEL, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Business Office Education, BOE Department, to Kathy Dianne McDaniel, senior at Ashville High School, and the daughter of Mr. and Mrs. Howard Earl McDaniel of Ashville, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout her school career, Kathy Dianne McDaniel is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Kathy Dianne McDaniel on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Kathy Dianne McDaniel as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 597, was adopted.

Also:

By Mrs. Quarles:

H. R. 598. COMMENDING TIMOTHY TURNER, VOCATIONAL STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the Outstanding Student Award, in the area of Welding, to Timothy Turner, senior at Ashville High School, and the son of Mrs. Laura Turner of Ashville, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout his school career, Timothy Turner is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Timothy Turner on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Timothy Turner as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 598, was adopted.

Also:

By Mrs. Quarles:

H. R. 599. COMMENDING CHARLES HENDERSON, VOCATIONAL EDUCATION STUDENT, FOR OUTSTANDING ACHIEVEMENT.

WHEREAS, the Alabama House of Representatives has noted that the John Pope Eden Area Vocational Center has presented the outstanding Student Award, in the area of Auto Mechanics, to Charles Henderson, a junior at Ashville High School, and the son of Mr. and Mrs. Calvin H. Henderson of Ashville, Alabama; and

WHEREAS, as the recipient of this prestigious award, and for many other honors and achievements throughout his school career, Charles Henderson is notably deserving of recognition and high praise; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do unanimously commend and congratulate Charles Henderson on being selected, by the John Pope Eden Area Vocational Center, for the Outstanding Student Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Charles Henderson as evidence of our esteem.

On motion of Mrs. Quarles, the rules were suspended and the resolution, H. R. 599, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 516. To amend Section 9 of Act No. 78, S. 72, 1961 Special Session (Acts of 1961, p. 1960); now appearing in Code of Alabama 1940, Recompiled 1958, Title 46, Section 64 (46), which regulates the licensing of cosmetologists, so as to shorten the time a managing cosmetologist must serve before becoming eligible to apply for a license.

Also:

H. 269. To provide for the attendance of witnesses from outside the state in criminal proceedings and to provide for the summoning of such witnesses and the arrest and service of process; and to provide for the repeal of all laws in conflict; and to provide an effective date.

Also:

H. 419. To amend Title 15, Section 45, Code of Alabama, 1940 (Recompiled 1958) so as to increase the amount that can be offered as a reward for the rearrest or apprehension of certain specified individuals.

Also:

H. 420. To amend Title 15, Section 44 of the Code of Alabama, 1940, (recompiled 1958) so as to increase the amount that can be offered as a reward and also specify the crimes for which the reward can be offered.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1013. To amend further Section 18 of Act No. 403, H. 330, 1971 Regular Session (1971 Acts, p. 689), relating to the registration and licensing of barbers and barber apprentices, so as to add Jefferson County to the list of counties to which the Act does not apply.

Also:

H. 1098. To alter, rearrange, extend and redefine the boundaries and corporate limits of the City of Warrior in Jefferson County, Alabama.

Also:

H. 1172. To provide that each manufacturer of malt or brewed beverage selling its products in Jefferson County will designate a sales territory in such County and name an exclusive wholesaler for such territory. To make it unlawful for any retailer of malt or brewed beverage to purchase a brand of malt or brewed beverages from any whole-

saler except the wholesaler, designated by the manufacturer, for the territory within which such retailers place of business is located, to provide penalties for the violation of the provisions of this Act, to repeal all laws in conflict herewith.

Also:

H. 1221. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579 et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located," to further define the terms "Basic Monthly Earnings," "Monthly Salary" and "Final Average Salary" in said Act.

Also:

H. 943. To amend Section 2 of Act No. 793, 1975 Regular Session (Acts of 1975, p. 1596), entitled: "An Act Relating to all counties having populations of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; to provide for an additional secretarial assistant for the office of the district attorney and for the offices of circuit judge of the judicial circuit in which such county lies;" so as to increase the compensation of the secretarial assistants for the offices of circuit judge of the judicial circuit in which such county lies.

Also:

H. 1259. Applying to every County of the State having a population of 500,000 or more according to the last or any subsequent Federal Census; to provide that no member, director, officer or trustee as a member of the Board of Trustees of any public corporation created in any such County pursuant to Act No. 46 of the Regular Session of the Legislature of Alabama of 1949, approved June 2, 1949 (Ala. Acts, 1949, pp. 68-73), as amended, (which appears as Tit. 22, Article V, Subdivision 1, Sections 204(18)-204(30), 1958 Code of Ala. Recomp.), and including a hospital, clinic, or nursing home owned or operated by the County, shall be personally liable for the debts, torts or undertakings of the corporation; nor shall the County, its governing body or the members of its governing body be liable for the debts, torts, or undertakings of the corporation.

Also:

H. 1261. Relating to Jefferson County, Alabama; to provide that the Chairman of the Board of Registrars of Jefferson County, Alabama, shall appoint a person to perform the duties which Act No. 1147 of the

Regular Session of the Legislature of Alabama of 1975, approved October 10, 1975 (Ala. Acts, 1975, pp. 2251-2257), herein called "Act 1147", imposed, or which any other act now or hereafter providing for absentee voting imposes, on the Register in Chancery in the Bessemer Cut-off of Jefferson County, Alabama, with reference to the handling of absentee ballots; to prescribe the qualifications required of any person appointed under this Act; to provide that the Chairman of the Board of Registrars of Jefferson County, Alabama, may appoint an alternate to serve hereunder in case the person appointed hereunder is disqualified or is not available to serve; to provide that no appointment the Chairman of the Board of Registrars makes hereunder, including the appointment of an alternate to serve hereunder in case the person appointed hereunder is disqualified, or is not available to serve, shall be effective until such appointment has been approved by a written resolution adopted by the governing body of the county; to provide that any person appointed hereunder, including an alternate when serving hereunder, shall have all the powers, duties and responsibilities Act 1147 vested in the Bessemer Cut-off register for the purposes of Act 1147, including the power to administer oaths and also the power to register persons as voters in the Bessemer Cut-off who are qualified under the laws of Alabama to be registered as voters; to provide that no person appointed hereunder, or serving as alternate hereunder, shall receive any salary, compensation or fee for any services performed hereunder; to provide that all provisions of Act 1147 shall apply to any person appointed hereunder, and to any person serving as alternate hereunder, in the same manner and extent to which such provisions would apply to the Bessemer Cut-off register if the Bessemer Cut-off register were performing the duties with reference to handling absentee ballots which are hereby imposed on any person appointed hereunder or on any alternate serving hereunder.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1290. To amend Section 21 of Act No. 497 of the Regular Session of the Legislature of 1965 (Ala. Acts, 1965, pp. 717, et seq.), and to provide that said amendment shall apply retroactively to the extent provided in said Act.

Also:

H. 7. To amend the Title and Section 1 of Act No. 1006, H. 111, 1973 Regular Session (Acts of 1973, p. 1541), entitled, "An Act Relating to counties having a population in excess of 600,000 inhabitants; providing that automotive parts businesses, antique dealers, flea markets, gift shops, and shops operated at hospitals, public parks, public airports,

public auditoriums and civic centers or bowling alleys in such counties may operate on Sunday," so as to provide that organized trade shows in which no retail sales to the public are permitted and which shows are sponsored by the area chamber of commerce, may operate on Sunday.

Also:

H. 14. To further amend Sections 2 and 18 of an act entitled "an act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal Census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the County affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof." (Approved July 6, 1945, General Acts of Legislature of Alabama, 1945, page 376).

Also:

H. 443. To further amend Section 2 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Acts of Alabama, 1966 Special Session, page 280, et seq.) entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the fire department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956, to include in said separate system dependents of said presently active employees; and to render said Act No. 307 and Act Number 22 inapplicable to said certain presently active employees and their dependents".

Also:

H. 444. To amend Section 22 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400) establishing a county wide civil service system for counties with a population of 400,000 or more, as amended by Act No. 562, approved October 9, 1947 (General Acts of Legislature of Alabama, 1947, page 398), by Act No. 670, approved September 16, 1953 (Acts of Legislature of Alabama, Regular Session, 1953, page 927), and by Act No. 1600, approved September 17, 1971 (Acts of Legislature of Alabama Regular Session, 1971, page 2754).

Also:

H. 499. To amend Section 12 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945 (General Acts of Alabama, Regular Session 1945, p. 376, et. seq.), to provide for a Pay Plan whereby Merit System Employees may receive Salary increases.

Also:

H. 926. To amend further Section 2 of Act No. 248, H. 580, 1945 Regular Session (Acts of 1945, p. 377; now appearing in Code of Alabama, Recompiled 1958, Appx., Section 646), relating to the establishment of a county civil service system for certain counties, so as to include police officers who are employed by municipalities whose population is 2500 or more according to the last federal census that are located in counties having a population of 400,000 or more inhabitants.

Also:

H. 1023. To provide that any public corporation heretofore or hereafter incorporated and existing under the provisions of Act No. 109, H. 148 of the 1961 Regular Session, as amended, [1961 Acts, p. 134; appearing in Code of Alabama 1940, Recompiled 1958, Title 22, Section 204 (41a)], is authorized and empowered to lease any hospital, building or facility constructed and equipped under the provisions of such act to any public corporation or any non-profit corporation. No rights under the terms of any contract shall be abrogated nor shall any security for the fulfillment of any obligation be jeopardized by the provisions of this act.

Also:

H. 950. To provide that when a vacancy occurs on the governing body of Jefferson County, the Election Commission of Jefferson County shall adopt a resolution providing for a special election, with a run-off election, if necessary, to fill such vacancy; to provide how a person shall become a candidate for the office to be filled; to provide that any person elected to fill a vacancy hereunder shall serve the unexpired term which the person occupying said office when the vacancy occurred would have served if the vacancy had not occurred; to provide that the general laws of the State governing elections shall apply to any election held under the Act, except as the Act otherwise provides; to provide that no person shall be appointed to fill such vacancy; and to repeal Section 145, Title 62, Code of Alabama of 1940, and any other laws or parts of laws in conflict with the Act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Messrs. Callahan, Younce, Cooper, Johnstone, Glass, Buskey, Kennedy, Sonnier, Sandusky, McCulley and McMillan:

H. R. 600. House Resolution commending Mr. Barre Dumas for his meritorious service to the Mobile County House Delegation.

WHEREAS, Mr. Barre Dumas has completed his period of internship with the Mobile County House Delegation; and

WHEREAS, Mr. Barre Dumas has done yeoman service for the delegation; and

WHEREAS, Mr. Barre Dumas has impressed all members of the Mobile County Delegation with his knowledge, hard work and high spirits; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That Mr. Barre Dumas be congratulated for his fine work with the legislature and be wished every success in his study of the law and in his future endeavors.

On motion of Mr. Callahan, the rules were suspended and the resolution, H. R. 600, was adopted.

RESOLUTIONS

The following resolutions introduced on the twenty-ninth legislative day, were read by title pursuant to Joint Rule 11:

S. J. R. 354. COMMEMORATING THE LATE C. W. CLAYBROOK OF LUVERNE, ALABAMA.

S. J. R. 356. MOURNING THE DEATH OF DR. WALTER B. JONES, FORMER STATE GEOLOGIST.

On motion of Mr. Crowe, the resolutions were adopted en masse.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Hall and Boles:

H. R. 601. COMMENDING MRS. JO MARSHALL, SPONSOR OF PI PI CHAPTER OF PHI THETA KAPPA AND ADVISOR FOR THE ALABAMA REGION OF PHI THETA KAPPA

WHEREAS, Mrs. Jo Marshall has served as sponsor of Pi Pi Chapter of Phi Theta Kappa for Jefferson State Junior College since 1970, and advisor for the Alabama Region of Phi Theta Kappa since 1972; and

WHEREAS, under her leadership, Pi Pi Chapter in competition with over five hundred chapters throughout the nation has won outstanding national recognition for excellence in scholastic pursuits, local and national activities, and service to school and community, for the preceeding five years; and

WHEREAS, Mrs. Marshall's dedication and devotion to the goals of Phi Theta Kappa, her interest in her students and her ability to lead them to seek excellence in their pursuits of scholarship, leadership and service was recognized by the Executive Director and National Staff of Phi Theta Kappa on April 2, 1977, when Mrs. Jo Marshall was named to the Phi Theta Kappa Sponsor's Hall of Honor; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That this body commend Mrs. Jo Marshall for her inspiration and leadership as sponsor of Pi Pi Chapter, for her interest and commitment to junior college students, and for the honor she has brought to Jefferson State Junior College, the Alabama Junior College System, and the State of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Jo Marshall.

On motion of Mr. Hall, the rules were suspended and the resolution, H. R. 601, was adopted.

Also:

By Messrs. Hall and Boles:

H. J. R. 602. COMMENDING MRS. JO MARSHALL, SPONSOR OF PI PI CHAPTER OF PHI THETA KAPPA AND ADVISOR FOR THE ALABAMA REGION OF PHI THETA KAPPA

WHEREAS, Mrs. Jo Marshall has served as sponsor of Pi Pi Chapter of Phi Theta Kappa for Jefferson State Junior College since 1970, and advisor for the Alabama Region of Phi Theta Kappa since 1972; and

WHEREAS, under her leadership, Pi Pi Chapter in competition with over five hundred chapters throughout the nation has won outstanding national recognition for excellence in scholastic pursuits, local and national activities, and service to school and community, for the preceeding five years; and

WHEREAS, Mrs. Marshall's dedication and devotion to the goals of Phi Theta Kappa, her interest in her students and her ability to lead them to seek excellence in their pursuits of scholarship, leadership and service was recognized by the Executive Director and National Staff of Phi Theta Kappa on April 2, 1977, when Mrs. Jo Marshall was named to the Phi Theta Kappa Sponsor's Hall of Honor; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commend Mrs. Jo Marshall for her inspiration and leadership as sponsor of Pi Pi Chapter, for her interest and commitment to junior college students, and for the honor she has brought to Jefferson State Junior College, the Alabama Junior College System, and the State of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Jo Marshall.

On motion of Mr. Hall, the rules were suspended and the resolution, H. J. R. 602, was adopted.

Also:

By Messrs. Hall and Boles:

H. R. 603. COMMENDING MISS JERI ANN BATY

WHEREAS, Phi Theta Kappa is the Junior College Scholarly Fraternity recognized since 1929 by the American Association of Junior Colleges; and

WHEREAS, The Executive Director and National Staff of Phi Theta Kappa named ten outstanding students from across the United States to be placed in Phi Theta Kappa's Hall of Honor; and

WHEREAS, Jeri Ann Baty, a member of Pi Pi Chapter of Jefferson State Junior College, because of her outstanding achievement and contribution to her chapter, her college, her community, and to National Phi Theta Kappa, was named to the Phi Theta Kappa Hall of Honor on April 2, 1977;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That Jeri Ann Baty be commended for her achievement and for the honor she has brought to Pi Pi Chapter of Phi Theta Kappa, to Jefferson State Junior College, the Alabama Junior College System and the State of Alabama; and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Miss Jeri Ann Baty.

On motion of Mr. Hall, the rules were suspended and the resolution, H. R. 603, was adopted.

Also:

By Messrs. Hall and Boles:

H. J. R. 604. COMMENDING MISS JERI ANN BATY

WHEREAS, Phi Theta Kappa is the Junior College Scholarly Fraternity recognized since 1929 by the American Association of Junior Colleges; and

WHEREAS, The Executive Director and National Staff of Phi Theta Kappa named ten outstanding students from across the United States to be placed in Phi Theta Kappa's Hall of Honor; and

WHEREAS, Jeri Ann Baty, a member of Pi Pi Chapter of Jefferson State Junior College, because of her outstanding achievement and contribution to her chapter, her college, her community, and to National Phi Theta Kappa, was named to the Phi Theta Kappa Hall of Honor on April 2, 1977;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Jeri Ann Baty be commended for her achievement and for the honor she has brought to Pi Pi Chapter of Phi Theta Kappa, to Jefferson State Junior College, the Alabama Junior College System and the State of Alabama; and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Miss Jeri Ann Baty.

On motion of Mr. Hall, the rules were suspended and the resolution, H. J. R. 604, was adopted.

Also:

By Messrs. Rich, Taylor and Ford:

H. R. 605. COMMENDING LEIGH COCHRAN FOR HONORS IN SCIENCE.

WHEREAS, the Alabama House of Representatives has noted the many honors received by Leigh Cochran of Westminster High School in Gadsden, Alabama, for her scientific project entered in local, county and regional competition; and

WHEREAS, her project demonstrated the effect of pollutants on our own environment through experiments conducted by adding certain pollutants to a hatchery containing Brine shrimp; and

WHEREAS, her exhibit won first place honors in the Junior Zoology Division at Westminster High School, in the Etowah County Science Fair at Gadsden State Junior College, and in the Northeast Alabama Regional Junior Academy of Science Fair at Jacksonville State University; she also was presented a special award by the United States Air Force for the most outstanding exhibit, Junior Division, in the regional competition; and

WHEREAS, this outstanding young student, who is a member of one of Gadsden's finest and most prominent families, has demonstrated

rare ability through many long hours of study and experimentation; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do highly commend Miss Leigh Cochran for outstanding achievement and direct that copies of this resolution be sent to her and to her mother, Mrs. Jean Cochran, that they may know of our warm praise and good wishes for every future success.

On motion of Mr. Rich, the rules were suspended and the resolution H. R. 605, was adopted.

Also:

By Messrs. Ford, Rich, Brindley, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward:

H. R. 606. CONGRATULATING REPRESENTATIVE AND MRS. HUBERT TAYLOR

WHEREAS, the Alabama Legislature, in its awareness that "good things come in small packages," is please to note the birth of James Ellis, a handsome baby boy born Saturday, April 9, 1977, to Representative and Mrs. Hubert Taylor; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That we heartily congratulate our proud colleague, Hubert Taylor, and his lovely wife, Dink, and proud son, Mort, on this latest addition to their fine family, and wish for little James Ellis a long lifetime of happiness, wisdom and joy.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Dink, Mort, and Hubert Taylor, and one to James Ellis that he may later know of our warm wishes for every success in life.

On motion of Mr. Rich, the rules were suspended and the resolution, H. R. 606, was adopted.

Also:

By Mr. McNees:

H. R. 607. COMMENDING MRS. THELMA HUMBER FOR OUTSTANDING SERVICE AS FAYETTE COUNTY PUBLIC HEALTH NURSE

WHEREAS, the Alabama House of Representatives notes that May 6, 1977, by City Council Proclamation, was named Thelma Humber Day in honor of Nurse Humber who has retired after some 38 years in the field of health care services, the past 22 years as Public Health Nurse of Fayette County; and

WHEREAS, Mrs. Humber, a native of Pennsylvania who graduated from West Penn Hospital School of Nursing, began work as a charge nurse on the medical ward of that hospital and, in 1943, entered the Army Nurse Corps and was sent to England. In July, 1944, her hospital unit landed at Omaha Beach, followed the active war front until the capture of Paris at which time Mrs. Humber was assigned to a "shock" unit which closely followed the combat troops; and

WHEREAS, following World War II, Thelma Humber, who had married Fayette native, Bill Humber, worked at the McRobertson Clinic and the hospital until 1948 when her son, John David, was born; she and her husband operated the Fayette Hotel until it closed in 1953, and in 1955, she went back to her chosen field as Public Health Nurse of Fayette; and

WHEREAS, many changes in health care services have taken place in Fayette County during the past 22 years, many of which were the direct result of Mrs. Humber's tireless and unceasing efforts; she organized the first county-wide Salk polio vaccine clinics, the oral polio immunization program, the Rubella vaccine program which began in 1967 and, in 1968, she held red measles clinics in all of the county schools, church and community centers with the result that Fayette County was Alabama's first county to have all first graders immunized by the second month of the 1975 school term; and

WHEREAS, in addition to her nursing service, she has been active in many civic organizations and was named Fayette's Woman of the Year in 1962; she is a past president of both the Music Study Club and the Progress Club, has obtained professional help for the Bloodmobile units for more than 15 years, was co-chairperson for raising \$10,000 for the West Alabama Rehabilitation Center, is now co-chairman of the Salvation Army, a member of the Helping Hand Club, the Mental Health Council, and treasurer and past-chairman of the local Crippled Children's Fund; and

WHEREAS, further, Nurse Humber is a charter member of the District 17 division of the Alabama State Nurses Association, was instrumental in organizing District 19, has served as president and treasurer of the County Nurses Society, and is now serving in her third term as a member of the Legislative Committee of the State Nurses Association; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we most highly commend Mrs. Thelma Humber for meritorious service to her community, county and state; we further congratulate her for the many honors she has received, and on her retirement, with warm best wishes for every future success.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Mrs. Humber as a token of our appreciation and esteem.

On motion of Mr. McNees, the rules were suspended and the resolution, H. R. 607, was adopted.

Also:

By Messrs. McNees, Weeks and Carothers:

H. R. 608. COMMENDING ESTES HUDSON, OUTSTANDING EDUCATOR FOR THIRTY-SEVEN YEARS.

WHEREAS, the Alabama House of Representatives has learned of the announced retirement of Estes Hudson, Marion County Superintendent of Education, after a career of 37 years in the field of education; and

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WHEREAS, Mr. Hudson received his B. S. degree from Jacksonville State University, and his Master's degree from the University of Alabama; he was a teacher and coach at Brilliant, Alabama, from 1940 to 1942, served honorably and with distinction in the United States Navy from 1942 to 1946, and following World War II, became head coach and athletic director at Winfield where he remained until 1964; he was then elected superintendent in which capacity he has remained until now; and

WHEREAS, he was selected for Who's Who of Personalities of the South in 1969 and served as president of the Alabama High School Athletic Association from 1975 to 1977; he is a member of the Lions Club, Marion County Sportsmen's Club, the Masonic Lodge, Moose Club, Phi Delta Kappa, Kappa Phi Kappa, Alabama Society for Crippled Children and Adults, the American Legion, VFW, Alabama High School Athletic Association, Marion County Teacher's Association, PTA, Alabama Association of School Administrators, and the Alabama Association of School Boards; and

WHEREAS, he is highly dedicated to his profession, an outstanding educator who will be greatly missed by the teachers, principals and students of Marion County whom we join in wishing Estes Hudson a long and happy retirement; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we voice our appreciation for Mr. Hudson's many years of service to the youth of our state; we highly commend him on his outstanding career, and direct that a copy of this resolution be sent to him that the may know of our high praise and warm best wishes for every future success.

On motion of Mr. McNees, the rules were suspended and the resolution, H. R. 608, was adopted.

LEAVE OF ABSENCE

At the request of Mr. Drake, leave of absence was granted for Mr. Sparks, due to illness.

RESOLUTION

The following resolution was introduced:

By Mrs. Quarles:

H. J. R. 609. ABROGATING COMPENSATION FOR A SPECIAL SESSION IF THE EDUCATION APPROPRIATION BILL FAILS TO PASS TODAY.

WHEREAS, this 1977 Regular Session is rapidly coming to an end and as yet, we, the members of the Legislature, have so far failed to perform the duty incumbent upon us to appropriate funds for the support of education during the next fiscal year; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That each member of this body is urged to endeavor to pass the education appropriation bill before time for this session runs out.

BE IT FURTHER RESOLVED That if we fail to perform that duty before the end of this session and it is necessary for the Governor to call us back into Special Session for the purpose of enacting a bill making

appropriations for education for the next fiscal year, that we hereby pledge that we will serve diligently during such Special Session and will not accept any pay, either salary or expense allowance, for such service.

MOTION TO SUSPEND RULES AND ADOPT

Mrs. Quarles offered the motion to suspend the rules and adopt the resolution, H. J. R. 609.

AMENDMENT OFFERED

Mr. Crowe offered the following amendment to the resolution, H. J. R. 609:

Amend by deleting "members without pay" and add in lieu thereof the following:

"without pay for Representative Quarles".

AMENDMENT ADOPTED

And the amendment was adopted.

MOTION TO SUSPEND RULES AND ADOPT

Mrs. Quarles offered the motion to suspend the rules and adopt the resolution, H. J. R. 609, as amended.

H. J. R. 609 TEMPORARILY POSTPONED

On motion of Mr. Owens, further consideration of the resolution, H. J. R. 609 as amended, was temporarily postponed.

Yeas 17; Nays 6.

Yeas:

Messrs.: Albright, Armstrong, Brindley, Carothers, Falkenburg, Gregg, Harris, Hilliard, Holley, Hopping, Leonard, Lutz, Plaster, Riddick, Robertson, Smith (C) and White.

—17

Nays:

Messrs.: Folmar, Hall, Johnstone, McNair, Venable and Younce.

—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1325. To further amend Section 10 of Act 497 of the Regular Session of the Legislature of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which establishes a pension system for employees and officers of Jefferson County, Alabama.

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Also:

H. 1342. Relating to cities having a population of 250,000 inhabitants or more according to the last or most recent Federal Decennial Census; to authorize provision of hospitalization insurance for retired employees between the ages of 50 and 65, and to retired employees retired because of disability at any age up to age 65.

Also:

H. 1365. To approve an increase in the rate of ad valorem taxation now permitted by the Constitution, as amended, in the City of Mountain Brook by not exceeding three-fourths of one per cent of the assessed valuation of taxable property in said City, the proceeds of said tax to be used for general municipal purposes, pursuant to Article XI, Section 217 of the Constitution, as amended, and Amendment No. 336 to the Constitution.

Also:

H. 460. To further amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, page 201) approved July 7, 1965, entitled "An Act to authorize the Mayor of any city of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said city a chief Administrative Assistant.

Also:

H. 1082. Relating to counties with populations of more than six hundred thousand; allowing said counties to grant ad valorem tax exemptions from county ad valorem taxes for up to fifteen years to owner-developers who build new commercial or industrial facilities on previously improved real property within the city limits of any cities located in said county; providing that such owner-developers receiving such exemptions shall, however, pay abatement property taxes assessed on not less than the highest value at which said property was assessed at any time within five years prior to the grant of exemptions, and to provide for the procedures to be followed in the granting of such exemptions and in the determination of the amount of such abatement property taxes.

Also:

H. 1266. To establish the salaries for the following officers of Jefferson County, Alabama: the President of the County Commission, the two associate County Commissioners and the Sheriff; and to provide that the salaries fixed by such Act shall take effect immediately at the beginning of the next terms of office of said officers.

Also:

H. 1343. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which

any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Also:

H. 1280. Relating to all counties having populations of not less than 36,500 nor more than 39,200 inhabitants according to the 1970 or any subsequent federal decennial census; to provide further for the work schedule and compensation of the clerk and members of the jury commission in such counties.

Also:

H. 1326. Relating to Shelby County, levying an additional privilege license tax upon the sale, use, consumption, distribution, storage or withdrawal from storage, of all beer, malt or brewed beverages in the county; providing for the collection and distribution of the proceeds of said tax, which proceeds shall be used exclusively for financing the operations of any personnel board created in said county for employees of various county and municipal law enforcement offices and for certain law enforcement purposes; creating a special fund in the county treasury for the maintenance of any such law-enforcement personnel board; prescribing penalties for violations of the act; and repealing conflicting laws.

Also:

H. 1328. To provide for a personnel board for employees of county law enforcement offices in Shelby County; to provide for the composition, terms of office and compensation for members of said board; to authorize the board to regulate, by promulgation of rules and regulations, appointments, qualifications, tenures, salaries, promotions and dismissals of said employees; to provide for the duties and functions of the board; to provide for a hearing and appeal procedure for employees who have had disciplinary action taken against them; to provide a procedure for the board for accepting and filing applications for employment within county law enforcement offices and providing for the appointment of qualified applicants to such positions; to provide for a procedure for hearing complaints within the various law enforcement offices; to grant certain powers of deposition and subpoena to the board for the facilitation of the board's hearings and investigations; to provide that all meetings of the board shall be open to the public; to provide appeal to the circuit court for adverse decisions of the board; to prohibit employees under control of the board from participating in certain political activities; to provide that the board's expenses of operation shall be financed from the proceeds of an additional tax on county sales of beer and brewed beverages enacted at the 1977 legislative session; to provide a procedure whereby municipalities may come under the provisions hereof; to provide penalties for violations of any provisions of the act; and to repeal conflicting laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 668. Relating to any county having a population of not less than 57,000 nor more than 61,000 according to the 1970 or any subsequent federal decennial census; exempting all volunteer fire departments within any such county from the payment of all state, county and municipal sales and use taxes.

Also:

H. 834. To honor the memory of the late John L. LeFlore; relating to counties of not less than 300,000 nor more than 600,000 inhabitants; to require that the next public high school built in any county to which this Act applies shall be named the John L. LeFlore High School.

Also:

H. 878. Relating to counties having a population of not less than 21,000 nor more than 22,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide further for the election of the county superintendent of education and members of the county board of education.

Also:

H. 1101. To amend Section 4.02 of Act No. 618, H. 796, 1973 Regular Session of the Legislature (Acts 1973, p. 879), relating to the Mayor-Council form of government in cities with a population of not less than 70,000 nor more than 135,000 inhabitants according to the 1970 or any subsequent federal decennial census, so as to provide further for statements of candidacy for Mayor in such cities.

Also:

H. 1133. Relating to Washington County Board of Registrars; providing further for the times they shall meet and the compensation therefor; and providing that all per diem and expenses shall be paid in the same manner and from the same funds as now provided by law.

Also:

H. 1269. Relating to all counties having populations of not less than 16,000 nor more than 16,250 inhabitants according to the 1970 or any subsequent federal decennial census; giving the county governing body certain powers in regard to constructing and maintaining and repairing certain roads and rights-of-way leading to private dwellings.

Also:

H. 1270. To provide an expense allowance for the probate judge of all counties having populations of not less than 16,000 nor more than 16,250 inhabitants according to the 1970 or any subsequent federal decennial census.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 481. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other

functions of government, and for debt service, capital improvements, and for the public schools for the fiscal year beginning October 1, 1977.

TOM DRAKE,
Chairman.

And finds same correctly enrolled.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

H. J. R. 609 RESUMED

The resolution, H. J. R. 609 as amended, was again taken up.

MOTION TO SUSPEND RULES AND ADOPT

Mrs. Quarles offered the motion to suspend the rules and adopt the resolution, H. J. R. 609 as amended.

DIVISION OF THE QUESTION

Mr. Lutz called for the Division of the Question, and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mrs. Quarles to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 609 as amended, and the motion was lost.

The resolution, H. J. R. 609 as amended, was read and referred to the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Albright:

H. J. R. 610. CREATING A SELECT JOINT EDUCATIONAL STUDY COMMITTEE TO EVALUATE THE ALABAMA EXCEPTIONAL CHILD EDUCATION ACT.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint Interim committee to be composed of three members of the House Education Committee and two members of the Senate Education Committee to be appointed by the presiding officer of each house. The members of the committee shall elect from among their membership a chairman and vice chairman. The committee shall make an evaluation of Act No. 106, S. 13, 1971 Regular Session (Acts, 1971, p. 373) as amended, which is the Alabama Exceptional Child Education Act.

The committee shall have subpoena power and the power to punish for contempt of a committee of the Legislature.

Upon the request of the chairman, the secretary of the senate and the clerk of the house shall provide such clerical assistance as may be necessary for the committee's work.

The committee shall report its findings, conclusions and recommendations for implementation to the legislature at such date of the 1977 Regular Session so as to allow sufficient time to pass any suggested legislation, whereupon the committee shall be discharged and dissolved.

The members of the committee shall be paid the same compensation, per diem and expenses as they receive while in legislative session on those days when they meet or when they attend to the business of the committee. Each committee member shall receive mileage expenses for the actual mileage traveled on the business of the committee. The payment of all compensation and expenses under this resolution shall be paid from funds appropriated to the use of the Legislature; provided, however, that such expenses shall not exceed \$10,000.00 for each fiscal year.

MOTION TO SUSPEND RULES AND ADOPT

Mr. Albright offered the motion to suspend the rules and adopt the resolution, H. J. R. 610.

DIVISION OF THE QUESTION

Mr. Carothers called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mr. Albright to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 610, and the motion was lost.

The resolution, H. J. R. 610, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs.: Shelby, Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Goodwin, Higginbotham, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Miller, Mims, Mitchell, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Roberts, St. John, Stewart, Teague, Vacca, Waldrop, Wilson:

S. J. R. 359. ON THE RETIREMENT OF MISS ALTA CHAPMAN PATTON.

WHEREAS, Miss Alta Chapman Patton has made known her desire to retire on May 31, 1977, after thirty-eight years of state service, over twenty-nine of which have been continuously with the Legislative Reference Service where she is Chief Analyst in charge of training new analysts; and

WHEREAS, Miss Patton, being the daughter of the late Mr. and Mrs. Wayne Patton of Livingston, Alabama, where her father was a prominent attorney, attended Livingston State Teachers' College for two years, was later graduated with a B.A. degree with a major in French from the University of Alabama, subsequently received her LL.B. degree from Jones Law School and was admitted to the Alabama State Bar in 1948; and

WHEREAS, Miss Patton's wealth of knowledge, wide experience, fabulous memory, and depth of perception in the many facets of law, particularly in constitutional law, have won for her the high respect of three decades of legislators and fellow attorneys throughout this state who have so often sought and been willingly given the benefit of her advice; and

WHEREAS, Miss Patton's meticulous care in the drafting of sound, viable legislation, her insistence on the accuracy of details, her unselfishness in giving freely of her time and efforts to her colleagues and her ability to maintain her good humor under mounting pressures have earned for her the love and admiration of her co-workers; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama is, and for years to come will be, deeply indebted to Alta Chapman Patton for her outstanding services. Her background of knowledge coupled with her ability to use it, her undaunted courage and her generosity of spirit will be long remembered and deeply appreciated.

RESOLVED FURTHER, That we wish for Miss Patton many happy years of retirement which she so richly deserves and assure her that she will always occupy a very special place in our hearts and minds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Crowe, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 359, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1046. Relating to Montgomery County; prescribing responsibility for and method of transferring of ownership of a motor vehicle; providing penalties for failure to comply with requirements thereof; authorizing the probate judge, or such other officer performing duties of the probate judge, to charge certain additional fees for completing application forms and for recording change of ownership.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Wyatt offered the motion that the House concur in the Senate amendment to the bill, H. 1046, said Senate amendment being as follows:

Amend House Bill No. 1046 in Sec. 2, page 2, line 4 by striking the following paragraph added by the Wyatt amendment:

It is Further provided that licensed dealers in the business of selling motor vehicles shall not be required to file the report of changes of ownership as otherwise required here with report to motor vehicles acquired and held by the dealer for sale; however if the dealer regularly was any such vehicle for private or personal use he shall be required to file as herein provided.

SUBSTITUTE MOTION OFFERED

Mr. Barron offered the substitute motion that the House non-concur in the Senate amendment to the bill, H. 1046, and request a Committee on Conference.

MOTION TO TABLE LOST

The motion offered by Mr. Wyatt to table the substitute motion offered by Mr. Barron, was lost.

Yeas 2; Nays 3.

Yeas: Messrs.: Lewis and Wyatt. —2

Nays: Messrs.: Barron, Harris and Plaster. —3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SUBSTITUTE MOTION ADOPTED

The question was then on the substitute motion offered by Mr. Barron that the House non-concur in the Senate amendment to the bill, H. 1046, and request a Committee on Conference, and the substitute motion was adopted.

Yeas 4; Nays 1.

Yeas: Messrs.: Barron, Harris, Lewis and Plaster. —4

Nays: Mr. Wyatt. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

On motion of Mr. Barron, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 1046.

The Speaker named as the Committee on Conference on the part of the House, Messrs. Wyatt, Barron and Lewis.

H. 1330 TEMPORARILY POSTPONED

On motion of Mr. Martin, consideration of the bill, H. 1330 with Senate amendment, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1100. Relating to Bibb County; amending the title and Section 4 of Act No. 1381, H. 2294 of the 1971 Regular Session (Acts 1971, Vol. III, p. 2327), as amended, which act pertains to the governing body of

the county, so as to reflect matters of compensation in the title and to increase the monthly expense allowance of certain commissioners, payable from the county treasury.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Owens, the House non-concurred in the Senate amendment to the bill, H. 1100, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County; amending the title and Section 4 of Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, Vol. III, p. 2327), as amended, which act pertains to the governing body of the county, and the Sheriff of Bibb County so as to reflect matters of compensation in the title and to increase the monthly expense allowance of certain commissioners, and the Sheriff of Bibb County, payable from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The title and Section 4 of Act No. 1381, H. 2294 of the 1971 Regular Session (Acts 1971, Vol. III, p. 2327), as amended, are hereby amended to read as follows:

"An Act Relating to Bibb County, providing further for the election of members of the governing body of said county, and setting the compensation for such officers, and the Sheriff of Bibb County, payable from the county treasury.

"Section 4. Each commissioner of the county governing body, other than the chairman, shall receive a monthly salary of \$500 and \$300 per month expense allowance, payable from the county treasury. The chairman of the county governing body and the Sheriff of Bibb County shall receive a \$200 per month expense allowance which shall be payable from the county treasury."

Section 2. This act shall become effective only after a referendum has been held by the voters of Bibb County in the affirmative endorsing this act. Said referendum to be held at the next election held by said county for any proposed constitutional amendments.

Yeas 9; Nays 0.

Yeas:

Mr. Speaker, Campbell, Cross, Gafford, Kelley, McCulley, Owens, Roberts and Smith (C).

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

On motion of Mr. Owens, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 1100.

The Speaker of the House named as the Committee on Conference, on the part of the House, Messrs. Lee, Owens and Johnson.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 953. To further amend Sections 5, 10, 12, 15, 16, 18 and 22 of an Act designated as Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future Federal census, a county-wide civil service system.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Falkenburg, the House concurred in and adopted the Senate amendment to the bill, H. 953, said Senate amendment being as follows:

Amend House Bill No. 953 by adding as Section 1 of said Bill the following:

SECTION 1: That Section 3 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400) and as amended by Act No. 636 of the Legislature of Alabama of 1967 (General Acts of 1967, page 1446) be, and the same is hereby amended so as to read as follows:

SECTION 3. Membership of personnel board. Said personnel board shall consist of three members designated respectively as member number one, member number two and member number three, each of whom shall be over twenty-one years of age, of recognized character and ability, a bona fide resident and qualified voter of such county and shall not, when appointed, nor for the three years then last past before the date of his appointment have held public office or political party office, nor have been a candidate for such and who shall not directly or indirectly have solicited membership on such board, provided that in any county which is or may hereafter be divided by law into two divisions for the trial of cases in the circuit court of such county, not more than two members of the board shall be residents of the same division. The board shall meet once a month on dates to be fixed by its rules and regulations and as much oftener as shall be necessary for the orderly dispatch of its business. Members number one, two and three shall be appointed by the citizens supervisory commission of such county, which commission shall likewise appoint their successors. In all counties becoming subject to the provisions of this Act said board shall be appointed as soon as it is determined that such county is in the population class subject to this Act. Member number one who shall be the chairman of the board shall hold office for a term of two years and until his successor is appointed and has qualified. His successors shall hold office for terms of six years each beginning at the ends of the legal terms as distinguished from the possible holdover terms of their respective predecessors. Member number two shall hold office for a term of four years and until his successor is appointed and has qualified. His successors shall hold office for terms of six years each beginning at the ends of the legal terms, as distinguished from the

possible holdover terms of their respective predecessors. Member number three shall hold office for a term of six years and until his successor has been appointed and has qualified. His successors shall hold office for terms of six years each beginning at the ends of the legal terms, as distinguished from the possible holdover terms, of their respective predecessors. In the event of a vacancy on the board occasioned by death, resignation, impeachment or other cause, such vacancy shall be filled by the citizens supervisory commission for the then unexpired term. The chairman of the board shall receive seventy five dollars for each meeting of the board attended by him and seventy five dollars per day for attendance upon trials and hearings, subject to the limitations set forth below. Each member of the board other than the chairman shall receive fifty dollars for each meeting of the board attended by him and fifty dollars per day for attendance upon trials or hearings, subject to the limitations set forth below. This compensation shall be paid as salaries of county employees are paid on the warrant of the member claiming such compensation.

And, that the sections of the Bill be renumbered beginning by renumbering the present Section 1 to read Section 2. etc.

Yeas 8; Nays 6.

Yeas:

Messrs.: Andrews, Falkenburg, Gafford, Goodwin, Howard, Moore (O), Waggoner and White.

—8

Nays:

Messrs. Armstrong, Hall, Hilliard, Leonard, McNair and Tucker.

—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 953 as thus amended, was again read at length and passed.

Yeas 14; Nays 3.

Yeas:

Messrs.: Andrews, Biddle, Falkenburg, Gafford, Hall, Howard, Jolly, Leonard, Lutz, Moore (O), Trammell, Tucker, Waggoner and White.

—14

Nays: Messrs.: Armstrong, Hilliard and McNair.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 320. To amend further Section 12 of Act No. 1, H. 46, Regular Session 1945 (General Acts of Alabama 1945, p. 1) entitled "An act to conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount of two percent of the gross value, at the point of production, of oil and gas produced in Alabama", approved May 22, 1945, as amended, so as to allow spacing in the case of irregular sections which exceed 640 acres and so as to allow the Board to designate drilling or production units of up to 160 acres or one governmental quarter section in the case of oil and 640 acres or one governmental section in the case of gas plus ten percent tolerance so as to allow for irregular sections, and to further allow the Board, after notice and hearing, to establish units in oil and gas pools not to exceed thirty (30) per cent greater than 160 acres or one governmental quarter section in the case of oil and 640 acres or one governmental section in the case of gas, provided such action is justified by sufficient technical data indicating that such acreage or lands in excess of the aforesaid limitations is being drained or is in imminent danger of being drained and that the owners of interests in such said excess acreage or and cannot otherwise receive their just and equitable share of production from the pool; further providing that each such owner shall pay his proportionate share of drilling and production costs.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCulley, the House non-concurred in the Senate amendment to the bill, H. 320, said Senate amendment being as follows:

Amend House Bill 320, page 1, line 16, following the word "Sections" add:

"and to exceed these limitations, after notice and hearing, when it is affirmatively demonstrated that one well can drain the proposed unit and that a larger unit is justified because of technical, economic, environmental, or safety considerations, or other reasons deemed valid by the Board"

On page 2, line 8, after the word "Sections" add:

"and to exceed these limitations, after notice and hearing, when it is affirmatively demonstrated that one well can drain the proposed unit and that a larger unit is justified because of technical, economic, environmental, or safety considerations, or other reasons deemed valid by the Board"

On page 3, line 16, after the word "Sections" add a semicolon and the following:

"; provided however, that the Board may, at its discretion, after notice and hearing, establish drilling or production units for oil and gas in excess of the aforesaid limitations when it is affirmatively demonstrated by the person proposing said unit that one well can efficiently and economically drain the proposed area and that a larger unit is justified because of technical, economic, environmental, or safety considerations, or other reasons deemed valid by the Board"

On page 4, line 7, after the word "gas" delete the semicolon and in lieu thereof add the following:

" , subject to the aforementioned qualifications in this section"

Amend House Bill 320 by adding a new Section "E" on page 5, as follows:

"(E) Section 3(g) of Act No. 352, approved August 23, 1957, (Title 26, Section 179 (72) (g) is hereby amended to read as follows:

"(g) A provision that when the full amount of any charge made against a separately owned tract is not paid when due by the person or persons primarily responsible therefor, as provided in paragraph (e) of this section, then seven-eighths (7/8ths) of oil and gas production allocated to such separately owned tract may be appropriated by the unit operator and marketed and sold for the payment of such charge, together with interest at the rate of five per cent (5%) per annum thereon. A one-eighth (1/8th) part of the unit production allocated to each separately owned tract shall in all events be regarded as royalty to be distributed to and among or the proceeds thereof paid to the royalty owners, free and clear of all unit expense and free and clear of any lien therefor. The owner of any overriding royalty, oil and gas payment, royalty in excess of one-eighth (1/8th) of production, or other interest, who is not primarily responsible therefor shall, to the extent of such payment or deduction from his share, be subrogated to all the rights of the unit operator with respect to the interest or interests primarily responsible for such payment; provided, however, such right of subrogation shall not apply, inure to or exist for the benefit of the owner of any overriding royalty, oil and gas payment, royalty in excess of one-eighth (1/8th) of production, or other interest, who is no primarily responsible therefor, in any production unit in which tertiary recovery methods are utilized. The owner of such overriding royalty, oil and gas payment, royalty in excess of one-eighth (1/8th) of production, or other interest in any production unit in which tertiary recovery methods are utilized shall bear his fair share of all capital and operating costs incurred by a unit operator from the first day or the month next succeeding the month during which such tertiary recovery are initiated and implemented in the production unit, and the owner of such interest, shall continue to bear his share of both capital and operating cost so long as such unit is producing oil or gas utilizing tertiary recovery methods. The term "tertiary recovery methods" as used herein shall include, but shall not be limited to, the maintenance or partial maintenance of reservoir pressures by any method recognized by the industry as a tertiary method of recovery and approved by the board, recycling, injecting or flooding a pool or pools, or parts thereof, with air, gas, water, hydrocarbons, carbon dioxide (CO₂) or any other substance, or any combination or combinations thereof, the use of polymers, steam flooding or fire flooding, or any other tertiary method of producing hydrocarbons recognized by the industry and approved by the board. Any surplus received by the operator from any such sale of production shall be credited to the person or persons from whom it was deducted in the proportion of their respective interest."

Yeas 24; Nays 0.

Yeas:

Mr. Speaker, Buskey, Callahan, Campbell, Crawford, Cross, Gafford, Hall, Holmes (A), Hopping, Johnstone, Kelley, McCulley, Manley, Moore (O), Pegues, Roberts, Sandusky, Sonnier, Waggoner, Warren, Weeks, White and Younce.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

On motion of Mr. McCulley, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 320.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. McCulley, McMillan, Callahan, Sandusky and Sonnier.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 506. To fix the compensation or salary of the sheriff of all counties having a population of six hundred thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Biddle, the House concurred in and adopted the Senate amendment to the bill, H. 506, said Senate amendment being as follows:

Amend House Bill 506 by deleting in its' entirety Section 3 and renumbering the remaining Sections.

Yeas 20; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Biddle, Boles, Cross, Falkenburg, Gafford, Greer, Hall, Holmes (A), Hopping, Johnstone, Jolly, Leonard, McNair, Moore (O), Roberts, Trammell, Waggoner and White.

—20

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 506 as thus amended, was again read at length and passed.

Yeas 13; Nays 5.

Yeas:

Messrs.: Andrews, Biddle, Boles, Crawford, Gafford, Hilliard, Hopping, Johnstone, Moore (O), Trammell, Turnham, Waggoner and White.

—13

Nays: Messrs.: Armstrong, Jolly, Leonard, McNair and Turnham. —5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 505. To authorize the sheriff of all counties in the State of Alabama having a population of 600,000 or more to employ an executive assistant; to prescribe the duties of such executive assistant and to set the salary of such executive assistant.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Waggoner, the House concurred in and adopted the Senate amendment to the bill, H. 505, said Senate amendment being as follows:

Amend H. B. 505 by inserting the following title: "To authorize the sheriff of all counties in the State of Alabama having a population of 600,000 or more according to the last or any subsequent federal decennial census to employ an executive assistant. To prescribe the duties of such executive assistant and to set the salary of such executive assistant. To authorize, empower, and direct the governing body of such county to pay the salary of such executive assistant."

Yeas 17; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Biddle, Boles, Falkenburg, Gafford, Hall, Hilliard, Hopping, Jackson (R), Leonard, McNair, Moore (O), Trammell, Tucker, Waggoner and White.

—17

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 505. To authorize the sheriff of all counties in the State of Alabama having a population of 600,000 or more according to the last or any subsequent federal decennial census to employ an executive assistant. To prescribe the duties of such executive assistant and to set the salary of such executive assistant. To authorize, empower, and direct the governing body of such county to pay the salary of such executive assistant.

As thus amended, was again read at length and passed.

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Yeas 11; Nays 4.

Yeas:

Messrs.: Andrews, Biddle, Boles, Falkenburg, Gafford, Hopping, Leonard, Moore (O), Trammell, Waggoner and White.

—11

Nays: Messrs.: Armstrong, Hall, Jolly and McNair.

—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 913. To amend Section 10 of Act No. 1053, H. 1901 of the 1973 Regular Session of the Legislature (Acts 1973, Vol. III, p. 1688) pertaining to additional unlawful acts in counties having populations of not less than 500,000 according to the 1970 or any subsequent federal decennial census, in regard to the sale of table wine, so as to make the unlawful acts in said counties conform to the general law of Alabama governing the sale of alcoholic beverages.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hilliard, the House concurred in and adopted the Senate amendment to the bill, H. 913, said Senate amendment being as follows:

Amend H. 913 on page 1, line 32 by making the following changes:

a) Correct the word "No" to read no and

b) Delete the words "on any Sunday" and substitute in their place the following words:

during the hours on Sunday when the sale of alcoholic beverages is unlawful

Yeas 12; Nays 3.

Yeas:

Messrs.: Armstrong, Biddle, Boles, Falkenburg, Gafford, Hall, Hilliard, Howard, McNair, Tucker, Waggoner and White.

—12

Nays: Messrs.: Andrews, Jolly and Trammell.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 913 as thus amended, was again read at length and passed.

Yeas 10; Nays 5.

Yeas:

Messrs.: Armstrong, Biddle, Falkenburg, Gafford, Hopping, Howard, Jackson (F), Moore (O), Waggoner and White.

—10

Nays: Messrs.: Andrews, Hall, Leonard, McNair and Trammell. —5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1177. To provide for the licensing and regulation of bachelor social workers, graduate social workers, certified social workers, and social workers certified for independent practice; to establish and define the duties and powers of the State Board of Social Work Examiners; to make violation of this Act a misdemeanor and prescribe a penalty therefor.

McDOWELL LEE,
Secretary.

SENATE AMENDMENT

On motion of Mr. Drake, the House concurred in and adopted the Senate amendment to the bill, H. 1177, said Senate amendment being as follows:

Amend Section 6, Page 7, by adding the following after D on line 5 and numbering it E.

Any person who meets the following hereinafter listed conditions shall be issued a certification as a "Licensed Certified Social Worker" without a written examination by the State Board of Social Workers, notwithstanding any other provision of this act. The conditions to be met are as follows:

(1) Possess a baccalaureate degree from an accredited college or university.

(2) Completed a minimum of six (6) quarter hours at an approved graduate school of social work on or before the first (1st) day of January, 1960.

(3) Completed a minimum of six (6) years of full continuous employment in a social work position under supervision approved by the Board or seven (7) years of full continuous employment with a public or quasi public agency in the State of Alabama on or before May 1, 1977. Any person meeting the above conditions shall upon application to the State Board of Social Work Examiners and the payment of fifty

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dollars (\$50), be issued certification as a "Licensed Certified Social Worker." Nothing in this act shall override the provision of this paragraph.

Any person who holds a master of social work degree or a masters degree in Vocational Education from an approved college or university plus one year experience or its equivalent shall be granted the title of Graduate Social Worker if said person has completed the hereinafter mentioned requirements in this paragraph on or before December 30, 1977, upon application to the State Board of Social Worker Examiner and the payment of the fee of fifty dollars (\$50). Nothing in this act shall override the provision of this paragraph.

Yeas 42; Nays 1.

Yeas:

Messrs.: Armstrong, Biddle, Brindley, Buskey, Callahan, Cates, Clark, Coburn, Cross, Crowe, Drake, Folmar, Gafford, Goodwin, Greer, Hall, Hilliard, Holley, Hopping, Johnson, Johnstone, Jolly, Kelley, Kennedy, Lee, Leonard, Lewis, Lockett, McMillan, McNair, McNees, Martin, Moore (O), Naramore, Roberts, Sandusky, Shoemaker, Sonnier, Venable, Waggoner, White and Younce.

—42

Nay: Mr. Carothers.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1177 as thus amended, was again read at length and passed.

Yeas 73; Nays 1.

Yeas:

Mr. Speaker, Armstrong, Barron, Biddle, Brindley, Buskey, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Gafford, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Holley, Holmes (A), Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Lee, Leonard, Lewis, Lockett, Lutz, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (C), Sonnier, Trammell, Tucker, Turnham, Venable, Waggoner, White, Wyatt, Younce and Ward.

—73

Nay: Mr. McNair.

—1

RECESS

On motion of Mr. Manley and pursuant to the resolution, H. R. 574 heretofore adopted, the House recessed until 1:30 o'clock p.m.

HOUSE RECONVENED

The hour of 1:30 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

H. 1264 TEMPORARILY POSTPONED

On motion of Mr. Venable, the bill, H. 1264 with Senate amendment, was temporarily postponed.

H. 1054 TEMPORARILY POSTPONED

On motion of Mr. Ford, the bill, H. 1054 with Senate amendment, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1330. To provide further for the operation of the board of registrars in Morgan County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Martin, the House concurred in and adopted the Senate amendment to the bill, H. 1330, said Senate amendment being as follows:

Amend House Bill No. 1330, by inserting after the word "Morgan" as it appears throughout the title and body of the Bill add the words.

"and Baldwin"

Yeas 20; Nays 0.

Yeas:

Messrs.: Albright, Buskey, Carter, Cross, Drake, Goodwin, Hall, Hilliard, Hines, Holmes (A), Hopping, Johnson, Kelley, Lutz, McCluskey, Martin, Moore (W), Roberts, Smith (B), and Starkey.

—20

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1330. To provide further for the operation of the board of registrars in Morgan and Baldwin County.

As thus amended, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.: Buskey, Carter, Cross, Drake, Goodwin, Gregg, Hall, Hilliard, Hines, Holmes (A), Hopping, Jackson (F), Kelley, Leonard, Lutz, Martin, Mitchem, Moore (O), Moore (W), Quarles, Roberts, Smith (B), Starkey and Williams.

—24

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 406. To permit banks now or hereinafter situated in, or having a branch in, Etowah County to establish, maintain and operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Brindley, the House non-concurred in the Senate amendment to the bill, H. 406, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To permit banks now or hereinafter situated in, or having a branch in, Etowah County to establish, maintain and operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, whether incorporated or unincorporated, within the state, now or hereafter situated in, or having a branch in, Etowah County, shall have the power to establish, maintain and operate within the limits of said county, where a place of business of such bank is situated, one or more branches or branch banks, branch offices, branch agencies, additional offices or branch places of business for the receipt of deposits, payment of checks, lending of money and the conduct of a general banking and trust business, provided that such bank, before the establishment of any such branch or branches, shall first secure the written consent of the State Superintendent of Banks and meet the requirements of the appropriate regulatory banking authorities. Provided, however, that any branch bank established under this Act must be within the corporate limits of a municipality in Etowah County and, where the population of the municipality was less than 3,000 persons according to the 1970 or any subsequent Federal Decennial Census, any branch shall be located no farther from the City Hall than three-fourths ($\frac{3}{4}$) of one mile, this provision deemed necessary for police and fire protection purposes.

Section 2. The provisions of the Code of Alabama 1940, Title 5, Section 125, which conflict with this Act are specifically repealed as to the county in which this Act applies and all other laws, general or local, in conflict herewith are also repealed as to such county, and Act No. 335, H. 1936, Regular Session 1976 (Acts 1976, p. 365), is hereby expressly repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective one year from the date the Governor signs this act or one year from the date it otherwise becomes law. However, the Alabama State Bank Department will be authorized to accept and process branch bank applications upon this Act becoming law.

Yeas 7; Nays 0.

Yeas:

Messrs.: Brindley, Gafford, Greer, Kelley, Rich, Starkey and Weeks.

—7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendments to the following Senate Bills.

S. 334. Relating to all counties having populations of not less than 115,000 nor more than 150,000 according to the 1970 or any subsequent federal decennial census; to authorize the county commission to provide clerical assistants to such county's legislative delegation.

Also:

S. 728. To provide for establishment and operation of an Alabama Music Hall of Fame Board, and to prescribe its powers and duties.

Also:

S. 841. Relating to any county having a population of not less than 95,000 nor more than 115,000 according to the 1970 or any subsequent federal decennial census; to set the county license commissioner's salary.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Messrs. Albright, Andrews, Trammell and Howard:

H. J. R. 611. CREATING A SELECT JOINT EDUCATIONAL STUDY COMMITTEE TO EVALUATE THE ALABAMA EXCEPTIONAL CHILD EDUCATION ACT.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint Interim committee to be composed of three members of the House Education Committee and two members of the Senate Education Committee to be appointed by the presiding officer of each house. The

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members of the committee shall elect from among their membership a chairman and vice chairman. The committee shall make an evaluation of Act No. 106, S. 13, 1971 Regular Session (Acts, 1971, p. 373) as amended, which is the Alabama Exceptional Child Education Act.

Upon the request of the chairman, the secretary of the senate and the clerk of the house shall provide such clerical assistance as may be necessary for the committee's work.

The committee shall report its findings, conclusions and recommendations for implementation to the legislature at such date of the 1977 Regular Session so as to allow sufficient time to pass any suggested legislation, whereupon the committee shall be discharged and dissolved.

The members of the committee shall be paid the same compensation, per diem and expenses as they receive while in legislative session on those days when they meet or when they attend to the business of the committee. Each committee member shall receive mileage expenses for the actual mileage traveled on the business of the committee. The payment of all compensation and expenses under this resolution shall be paid from funds appropriated to the use of the Legislature; provided, however, that such expenses shall not exceed \$10,000.00 for each fiscal year.

MOTION TO SUSPEND RULES AND ADOPT

Mr. Albright offered the motion to suspend the rules and adopt the resolution, H. J. R. 611.

DIVISION OF THE QUESTION

Mr. Carothers called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mr. Albright to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 611, and the motion was lost, lacking a four-fifths vote.

Yeas 44; Nays 26.

Yeas:

Messrs.: Albright, Andrews, Boles, Brindley, Buskey, Carter, Coburn, Crowe, Dial, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hilliard, Holley, Hopping, Howard, Johnson, Johnstone, Jolly, Kennedy, Leonard, Lewis, Lockett, McNair, McNeese, Pegues, Plaster, Quarles, Reed, Riddick, Shoemaker, Smith (B), Starkey, Trammell, Tucker, Turnham, Whatley, Wyatt and Ward.

—44

Nays:

Mr. Speaker, Armstrong, Baker, Callahan, Campbell, Carothers, Clark, Crawford, Drake, Jackson (F), Kelley, Kinsey, Martin, Merrill, Moore (O), Morris, Rich, Roberts, Sandusky, Sasser, Smith (C), Smith (M), Sonnier, Weeks, Williams and Younce.

—26

The resolution, H. J. R. 611, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 573. To provide that an inter vivos gift of assets including but not limited to money, land, or buildings is void if the donor is left without means of support and has not reserved for himself for life an adequate amount from the gift to provide for his subsistence and to specify certain circumstances as herein defined in which the provisions of this act shall not apply.

Also:

H. 450. To amend Section 3 of Act No. 626 passed by the Legislature during the Regular Session of 1976 by providing the Act shall become effective only upon the approval of the Department of Health, Education, and Welfare of the federal government.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1374. To authorize the county governing bodies of all counties having populations of not less than 57,000 nor more than 61,000, according to the 1970 or any subsequent federal decennial census, to formulate, issue, promulgate and enforce any reasonable rules, regulations and directives to regulate further the operation of any motor or motorized vehicle upon coastal beaches or sand dunes located within the county.

Also:

H. 1375. Relating to all counties having a population of lot less than 21,000 nor more than 22,000 inhabitants according to the 1970 or any subsequent federal decennial census; further implementing Section 9 of Act No. 160, H. 59 of the 1971 Third Special Session, relating to property reappraisal, so as to authorize the county governing bodies in such counties to employ appraisers, mappers, and clerical personnel to maintain current evaluation of all property and valuation of personal property.

Also:

H. 1351. To name the state docks at Columbia, Alabama, for Mr. E. E. Wakefield.

Also:

H. 1380. To further amend Sections 1, 4 and 5 of Act No. 172, H. 187, First Special Session 1964, as amended, which Act relates to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by authorizing one additional legal stenographer and setting the salary range therefor, payable from county funds.

McDOWELL LEE,
Secretary.

REGULAR SESSION
30th Day

2537

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1331. To further provide for the administration of absentee voting in Morgan County, except during municipal elections.

Also:

H. 1349. Relating to all counties having populations of not less than 22,000 nor more than 22,500 inhabitants according to the 1970 or any subsequent federal decennial census; authorizing the governing bodies of such counties to pay certain expenses incurred by the judge of probate and employees assigned to work in the probate judge's office.

Also:

H. 1357. To amend Section 5 of Act No. 265 adopted at the 1963 Regular Session of the Legislature of Alabama, as heretofore amended, which pertains to airport authorities, so as to make provisions with respect to the number and the terms of office of the members of the board of directors of any airport authority incorporated under said act in a county having not less than 300,000 inhabitants and not more than 600,000 inhabitants according to the last or any succeeding federal decennial census, and with respect to the eligibility of certain officers to serve as members of the board of directors of such an airport authority.

Also:

H. 1366. To alter or rearrange the boundary lines of the City of Samson, Geneva County, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory contiguous thereto, in Geneva County, Alabama.

Also:

H. 1367. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Coosa County, Alabama; to authorize the governing body of said county to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain courts in said county for such purpose and for the expenditure thereof; to provide for the management and control of said library.

Also:

H. 1368. Relating to Coosa County; fixing the terms of office of the members of the county commission.

Also:

H. 1369. Relating to all counties having populations of not less than 12,000 nor more than 12,800 inhabitants according to the 1970 or any subsequent federal decennial census; regulating expense allowances for members of the county board of equalization in such counties; and providing for the manner of payment therefor.

Also:

H. 1370. Relating to all counties having populations of not less than 10,900 nor more than 11,500 inhabitants according to the 1970 or

any subsequent federal decennial census; further regulating the compensation of the members of the county board of equalization in any such county.

Also:

H. 1372. Relating to Pickens County; to authorize the governing bodies of Pickens County and the governing bodies of all municipalities within said county to create the Pickens County Park and Recreation Authority, to appropriate funds to such authority, and to abolish existing park and recreation boards upon the establishment of such authority.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 668. Relating to any county having a population of not less than 57,000 nor more than 61,000 according to the 1970 or any subsequent federal decennial census; exempting all volunteer fire departments within any such county from the payment of all state, county and municipal sales and use taxes.

Also:

H. 834. To honor the memory of the late John L. LeFlore; relating to counties of not less than 300,000 nor more than 600,000 inhabitants; to require that the next public high school built in any county to which this Act applies shall be named the John L. LeFlore High School.

Also:

H. 878. Relating to counties having a population of not less than 21,000 nor more than 22,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide further for the election of the county superintendent of education and members of the county board of education.

Also:

H. 1101. To amend Section 4.02 of Act No. 618, H. 796, 1973 Regular Session of the Legislature (Acts 1973, p. 879), relating to the Mayor-Council form of government in cities with a population of not less than 70,000 nor more than 135,000 inhabitants according to the 1970 or any subsequent federal decennial census, so as to provide further for statements of candidacy for Mayor in such cities.

Also:

H. 1133. Relating to Washington County Board of Registrars; providing further for the times they shall meet and the compensation therefor; and providing that all per diem and expenses shall be paid in the same manner and from the same funds as now provided by law.

Also:

H. 1269. Relating to all counties having populations of not less than 16,000 nor more than 16,250 inhabitants according to the 1970 or any subsequent federal decennial census; giving the county governing

body certain powers in regard to constructing and maintaining and repairing certain roads and rights-of-way leading to private dwellings.

Also:

H. 1270. To provide an expense allowance for the probate judge of all counties having populations of not less than 16,000 nor more than 16,250 inhabitants according to the 1970 or any subsequent federal decennial census.

Also:

H. 1325. To further amend Section 10 of Act 497 of the Regular Session of the Legislature of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which establishes a pension system for employees and officers of Jefferson County, Alabama.

Also:

H. 1342. Relating to cities having a population of 250,000 inhabitants or more according to the last or most recent Federal Decennial Census; to authorize provision of hospitalization insurance for retired employees between the ages of 50 and 65, and to retired employees retired because of disability at any age up to age 65.

Also:

H. 1365. To approve an increase in the rate of ad valorem taxation now permitted by the Constitution, as amended, in the City of Mountain Brook by not exceeding three-fourths of one per cent of the assessed valuation of taxable property in said City, the proceeds of said tax to be used for general municipal purposes, pursuant to Article XI, Section 217 of the Constitution, as amended, and Amendment No. 336 to the Constitution.

Also:

H. 460. To further amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, page 201) approved July 7, 1965, entitled "An Act to authorize the Mayor of any city of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said city a chief Administrative Assistant.

Also:

H. 1082. Relating to counties with populations of more than six hundred thousand; allowing said counties to grant ad valorem tax exemptions from county ad valorem taxes for up to fifteen years to owner-developers who build new commercial or industrial facilities on previously improved real property within the city limits of any cities located in said county; providing that such owner-developers receiving such exemptions shall, however, pay abatement property taxes assessed on not less than the highest value at which said property was assessed at anytime within five years prior to the grant of exemptions, and to provide for the procedures to be followed in the granting of such exemptions and in the determination of the amount of such abatement property taxes.

Also:

H. 1266. To establish the salaries for the following officers of Jefferson County, Alabama: the President of the County Commission, the two associate County Commissioners and the Sheriff; and to provide

that the salaries fixed by such Act shall take effect immediately at the beginning of the next terms of office of said officers.

Also:

H. 1343. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal census a pension and relief or retirement and relief system for officer and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Also:

H. 1280. Relating to all counties having populations of not less than 36,500 nor more than 39,200 inhabitants according to the 1970 or any subsequent federal decennial census; to provide further for the work schedule and compensation of the clerk and members of the jury commission in such counties.

Also:

H. 1326. Relating to Shelby County, levying an additional privilege license tax upon the sale, use, consumption, distribution, storage or withdrawal from storage, of all beer, malt or brewed beverages in the county; providing for the collection and distribution of the proceeds of said tax, which proceeds shall be used exclusively for financing the operations of any personnel board created in said county for employees of various county and municipal law enforcement offices and for certain law enforcement purposes; creating a special fund in the county treasury for the maintenance of any such law-enforcement personnel board; prescribing penalties for violations of the act; and repealing conflicting laws.

Also:

H. 1328. To provide for a personnel board for employees of county law enforcement offices in Shelby County; to provide for the composition, terms of office and compensation for members of said board; to authorize the board to regulate, by promulgation of rules and regulations, appointments, qualifications, tenures, salaries, promotions and dismissals of said employees; to provide for the duties and functions of the board; to provide for a hearing and appeal procedure for employees who have had disciplinary action taken against them; to provide a procedure for the board for accepting and filing applications for employment within county law enforcement offices and providing for the appointment of qualified applicants to such positions; to provide for a procedure for hearing complaints within the various law enforcement offices; to grant certain powers of deposition and subpoena to the board for the facilitation of the board's hearings and investigations; to provide that all meetings of the board shall be open to the public; to provide

appeal to the circuit court for adverse decisions of the board; to prohibit employees under control of the board from participating in certain political activities; to provide that the board's expenses of operation shall be financed from the proceeds of an additional tax on county sales of beer and brewed beverages enacted at the 1977 legislative session; to provide a procedure whereby municipalities may come under the provisions hereof; to provide penalties for violations of any provisions of the act; and to repeal conflicting laws.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 505. To authorize the sheriff of all counties in the State of Alabama having a population of 600,000 or more according to the last or any subsequent federal decennial census to employ an executive assistant. To prescribe the duties of such executive assistant and to set the salary of such executive assistant. To authorize, empower, and direct the governing body of such county to pay the salary of such executive assistant.

Also:

H. 506. To fix the compensation or salary of the sheriff of all counties having a population of six hundred thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 953. To further amend Sections 5, 10, 12, 15, 16, 18 and 22 of an Act designated as Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future Federal census, a county-wide civil service system.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1177. To provide for the licensing and regulation of bachelor social workers, graduate social workers, certified social workers, and social workers certified for independent practice; to establish and define the duties and powers of the State Board of Social Work Examiners; to make violation of this Act a misdemeanor and prescribe a penalty therefor.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 913. To amend Section 10 of Act No. 1053, H. 1901 of the 1973 Regular Session of the Legislature (Acts 1973, Vol. III, p. 1688) pertaining to additional unlawful acts in counties having populations of not less than 500,000 according to the 1970 or any subsequent federal decennial census, in regard to the sale of table wine, so as to make the unlawful acts in said counties conform to the general law of Alabama governing the sale of alcoholic beverages.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1264. Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain branch banks, branch offices or other places of business within the limits of said county.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Waggoner, the House concurred in and adopted the Senate amendment to the bill, H. 1264, said Senate amendment being as follows:

AMEND HOUSE BILL NO. 1264 TO READ AS FOLLOWS:

(A) A BILL TO BE ENTITLED AN ACT

Relating to Shelby County; authorizing any bank situated within the County to open, establish, operate and maintain branch banks, branch offices or other places of business within the limits of said county; excepting a certain geographical area of Shelby County, Alabama, and any bank whose main office is located in such geographical area from the operation of this act.

Be It Enacted by the Legislature of Alabama:

SECTION 1. When permitted by its charter and bylaws and approved by the State Banking Department or the Comptroller of the Currency for the United States, where appropriate, any bank situated in Shelby County, Alabama, shall be authorized to open, establish, operate and maintain branch banks, branch offices or other places of business for the receipt of deposits, payment of checks and conducting a general banking business within the limits of Shelby County, Alabama.

SECTION 1½. Notwithstanding the provisions of Section 1, no bank may open, establish, operate, or maintain a branch bank, branch office or other place of business (other than the bank's main office) in the following geographical area:

Begin at a point on the Westerly side of Shelby County, Alabama, adjoining Bibb County, Alabama, where said point is intersected by Shelby County Highway No. 54, and run along said last named highway in a Northerly direction to the center line of Shelby County Highway No. 22; thence in an Easterly direction along the center line of said County Highway No. 22 to the center line of old 2-lane paved State Highway No. 31; thence in an Easterly direction along the center line of Shelby County Highway No. 70 to its intersection with Shelby County Highway No. 42; thence in a Southerly and Easterly direction along the center line of said County Highway No. 42 to its intersection with the Northwesterly edge of Coosa River at its present level; thence along the Northwesterly edge of said river to its intersection with the North line of Chilton County, Alabama; thence in a Westerly direction along the North line of said Chilton County to its intersection with the East line of Section 17, Township 22, Range 4 W, being South of and near the town of Wilton, Alabama; thence South along said Section 17 and a small part of Section 20 to the Bibb County line; thence along same in a Westerly and Northwesterly direction to said County Road No. 54, being the point of beginning.

and no bank whose main office is located in such geographical area may open, establish, operate or maintain a branch bank, branch office, or other place of business any where in Shelby County, Alabama.

SECTION 2. There is hereby repealed that certain Local Act No. 1087, enacted by the Alabama Legislature during its regular session in the year 1969. The above law referred to in this section and all laws or parts of laws which conflict with this Act are repealed.

SECTION 2½. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SECTION 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Campbell, Carothers, Carter, Crawford, Drake, Gafford, Glass, Greer, Hilliard, Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lutz, McNees, Manley, Martin, Merrill, Moore (O), Moore (W), Owens, Plaster, Quarles, Reed, Rich, Roberts, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Starkey, Tucker, Turnham, Waggoner, Weeks, Whatley, White and Williams.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1264. Relating to Shelby County; authorizing any bank situated within the County to open, establish, operate and maintain branch banks, branch offices or other places of business within the limits of said county; excepting a certain geographical area of Shelby County, Alabama, and any bank whose main office is located in such geographical area from the operation of this act.

As thus amended, was again read at length and passed.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Crawford, Crowe, Drake, Gafford, Glass, Greer, Hilliard, Hopping, Howard, Jackson (F), Jolly, Kelley, Kinsey, Lutz, McCulley, McNees, Martin, Merrill, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Turnham, Waggoner, Weeks, Whatley, White, Williams and Ward.

—54

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1136. Relating to all counties having a population of not less than 300,000 nor more than 600,000 according to the 1970 or any subsequent Federal decennial census; providing for the payment by the county of expense allowances for members of the county commission.

McDOWELL LEE,
Secretary.

REGULAR SESSION
30th Day

2545

SENATE MESSAGE

On motion of Mr. Callahan, the House concurred in and adopted the Senate amendment to the bill, H. 1136, said Senate amendment being as follows:

Amend H. B. 1136 by deleting Section 1 in its entirety and by substituting therefor the following:

"Section 1. In all counties having populations of not less than 300,000 nor more than 600,000 inhabitants, according to the 1970 or any subsequent Federal decennial census, members of the county commission shall each be entitled to receive an expense allowance of \$250 per month, which shall be in addition to all other compensation and allowances now provided by law for such commissioners. Such allowances shall be paid from the general funds of the county."

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Crawford, Crowe, Falkenburg, Gafford, Greer, Gregg, Hill, Hilliard, Jackson (F), Kelley, Kennedy, Kinsey, Lutz, McCulley, McNeese, Manley, Martin, Merrill, Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Shoemaker, Smith (B), Smith (M), Sonnier, Tucker, Turnham, Venable, Waggoner, Weeks, Whatley, Williams, Younce and Ward.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1136 as thus amended, was again read at length and passed.

Yeas 48; Nays 1.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Buskey, Callahan, Campbell, Carter, Crawford, Crowe, Falkenburg, Gafford, Greer, Gregg, Hilliard, Jackson (F), Kelley, Kennedy, Kinsey, Lutz, McCulley, McNeese, Manley, Martin, Merrill, Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Shoemaker, Smith (B), Smith (M), Sonnier, Turnham, Venable, Waggoner, Weeks, Whatley, Williams, Younce and Ward.

—48

Nay: Mr. Glass.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bill Number 1312, and containing a suggested Executive Amendment.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 16th DAY OF MAY, 1977.

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, House Bill Number 1312, without my signature and approval, and with the following suggested Executive Amendment.

It has been suggested that House Bill Number 1312 be amended by deleting the words and figures wherever they appear in said bill as follows:

"of not less than 5,165 nor more than 5,245" and substituting in lieu thereof the words and figures,

"from 2,847 nor more than 2,850".

The adoption of the above and foregoing Executive Amendment will remove my objections from this Bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Morris, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1312, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Clark, Crawford, Cross, Falkenburg, Folmar, Gafford, Glass, Greer, Hall, Hill, Hilliard, Hines, Holmes (A), Hopping, Jackson (F), Johnson, Jolly, Kelley, Kinsey, Lockett, Lutz, McCulley, McMillan, McNeas, Merrill, Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams, Wyatt, Younce and Ward.

And the bill:

H. 1312. To alter, rearrange and extend the boundary lines and corporate limits of any city in this state having a population of not less than 5,165 nor more than 5,245 according to the 1970 or any subsequent federal decennial census.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Crawford, Cross, Edwards, Falkenburg, Folmar, Gafford, Glass, Greer, Hall, Hilliard, Hines, Hopping, Jackson (F), Johnson, Jolly, Kelley, Kennedy, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Mitchem, Moore (W), Morris, Naramore, Owens, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams, Wyatt, Younce and Ward.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1054. Relating to Etowah County; to provide for a monthly expense allowance to be paid to all deputies, investigators, jailors, and other full-time employees of the Sheriff's Department.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Ford, the House concurred in and adopted the Senate amendment to the bill, H. 1054, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County; to provide for a salary increase to be paid to all full-time, non-elective and non-appointive employees of Etowah County employed by the General Fund of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. All full-time, non-elective and non-appointive employees of Etowah County, employed by the General Fund of said county, shall be paid a salary increase, in addition to such salaries and other compensation or expenses as may be otherwise provided by law. The salary increase hereby established shall be paid from the Etowah County General Fund and shall be in an amount not to exceed more than \$1,200.00 per annum, the amount to be determined upon recommendation of the chairman of the county governing body; provided further, however, that said governing body shall have the power to exclude from the provision of this act any said employee or group of employees or all employees covered by the provisions of this act.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall take effect on October 1, 1977 following its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 58; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Callahan, Carter, Coburn, Crawford, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hilliard, Hines, Holmes (A), Jackson (F), Jolly, Kelley, Lee, Lutz, McCluskey, McCulley, McMillan, McNees, Merrill, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Taylor, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Ward.

—58

And the bill:

H. 1054. Relating to Etowah County; to provide for a salary increase to be paid to all full-time, non-elective and non-appointive employees of Etowah County employed by the General Fund of said county.

As thus amended, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Callahan, Campbell, Carter, Coburn, Crawford, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holmes (A), Jackson (F), Jolly, Kelley, Kinsey, McCluskey, McCulley, McNees, Martin, Merrill, Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Taylor, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Willms, Wyatt, Younce and Ward.

—59

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 383. To provide that any person convicted of any act, or attempt to commit the act, of murder, rape, robbery, or assault with a deadly weapon directly and proximately resulting in serious bodily harm to another shall serve the sentence imposed without parole; and to repeal conflicting statutes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Callahan, the House concurred in and adopted the Senate amendment to the bill, H. 383, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide that any person convicted of any act, or attempt to commit the act, of murder, rape, robbery, or assault with a deadly weapon directly and proximately resulting in serious physical injury to another shall serve the sentence imposed without parole; and to repeal conflicting statutes.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person convicted of any act, or attempt to commit the act, of murder, rape, robbery, or assault with a deadly weapon, the commission of which directly and proximately resulted in serious physical injury to another, and the commission of which followed within five years such previous conviction of another felony, or attempt thereof, resulting in serious physical injury to another, shall upon conviction serve such sentence as may be imposed without benefit of parole, notwithstanding any law to the contrary.

Section 2. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Yeas 64; Nays 1.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Brindley, Callahan, Campbell, Carothers, Carter, Coburn, Crawford, Cross, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Merrill, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Turnham, Venable, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—64

Nay: Mr. Hilliard.

—1

And the bill:

H. 383. To provide that any person convicted of any act, or attempt to commit the act, of murder, rape, robbery, or assault with a deadly weapon directly and proximately resulting in serious physical injury to another shall serve the sentence imposed without parole; and to repeal conflicting statutes.

As thus amended, was again read at length and passed.

Yeas 66; Nays 4.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Coburn, Dial, Edwards, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lockett, Lutz, McCulley, McNees, Manley, Martin, Merrill, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Roberts, San-

dusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams, Wyatt, Younce and Ward.

—66

Nay: Messrs. Hilliard, Holmes (A), McNair and Tucker.

—4

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 531. Relating to Bibb County; to levy an excise and privilege tax on the severance of coal and stone in said county; to provide for the collection, payment, and administration of such tax; to provide for the use of the proceeds of the tax for the maintenance, repair, and construction of improved roads in Bibb County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Owens, the House concurred in and adopted the Senate amendment to the bill, H. 531, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Bibb County; to levy an excise and privilege tax on the severance of stone in said county; to provide for the collection, payment, and administration of such tax; to provide for the use of the proceeds of the tax for the maintenance, repair, and construction of improved roads in Bibb County.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. When used in this act, unless the context plainly indicates otherwise, the following words and phrases shall have the meanings respectively ascribed to them by this section.

(a) "Commissioner" means the commissioner of revenue of the state revenue department.

(b) "Person" means any individual, firm, partnership, corporation, association, or any combination thereof.

(c) "Producer" means any person engaging in the business of severing stone from the soil within Bibb County.

(d) "Purchaser" means any person acquiring title, outright or conditionally, to any interest in severed stone.

(e) "Severing" means cutting, mining, stripping or otherwise taking or removing from the soil within Bibb County.

(f) "Ton" means a short ton of 2,000 pounds.

(g) "Transporter" means any person transporting stone from the place where it is severed or from any other place to any other place, within or without Bibb County.

Section 2. Severance tax levied. There is hereby levied, in addition to all other taxes imposed by law, an excise and privilege tax on every person severing stone within Bibb County. The tax shall be paid to the Commissioner by every producer who severs stone within Bibb County at the rate of 5 cents per ton.

Section 3. Producer reports and payments. Every producer shall, within twenty (20) days after the end of each calendar month, whether or not he shall have actually severed stone during that month, file with the commissioner a report which shall set forth, in a form to be prescribed by the commissioner, the amount of stone in tons, if any, severed by such producer during the next preceding calendar month; the point of severance thereof; the amount of tax due; and such other information as the commissioner may reasonably require for the proper enforcement of the provisions of this act. The producer shall accompany such report with payment of the full amount of the tax shown to be due. The report shall be signed by the producer himself in the case of an individual producer, or by a member, officer, or manager of the producer in other cases.

Section 4. Purchaser and transporter reports. Purchasers and transporters of stone severed in Bibb County shall file a report with the commissioner, on forms prescribed by the commissioner, within twenty (20) days after the end of each calendar month in which such purchaser or transporter purchased or transported stone severed in Bibb County. The report shall state the names and addresses of all producers in Bibb County from whom such purchaser or transporter has received stone during such calendar month; the total quantity of stone so acquired; and, in the case of a transporter, to whom and where each ton of stone was delivered; and such other information as the commissioner may reasonably require for the proper enforcement of the provisions of this act. The report shall be signed by the purchaser or transporter himself in the case of an individual purchaser or transporter, or by a member, officer, or manager of the purchaser or transporter in all other cases.

Section 5. The tax imposed by this act shall constitute a debt due Bibb County and may be collected by civil suit, in addition to all other methods provided by law. The said tax, together with interest thereon, shall constitute and be secured by a lien upon the property of any person from whom said tax is due. All provisions of the revenue laws of this state which apply to the enforcement of liens for taxes due the state shall apply fully to the collection of the county tax levied herein, and the state department of revenue for the use and benefit of Bibb County shall collect such taxes and enforce this act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state stone severance tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the tax levied by this act, and to otherwise enforce the provisions of the act, including any litigation involving the act; and the department shall pay such special counsel's fee, as it deems necessary and proper, from the proceeds of the taxes collected by it for Bibb County.

Section 6. The state department of revenue shall charge Bibb County for collecting the county tax levied herein, such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the county commission, but such charge shall not in any event exceed ten percent of the total amount of tax collected hereunder. Such charge for collecting the tax for the county

may be deducted each month from the proceeds of the tax before certifying the amount thereof due Bibb County for that month.

Section 7. The net proceeds of the tax hereby levied shall be used as herein provided:

The net proceeds of the stone tax shall be distributed 50% for the maintenance, repair and construction of improved county roads in Bibb County and 50% for the use of the Bibb County Board of Education. On or before the tenth day of each month, the state revenue department shall pay over the net proceeds of the stone tax collected hereunder during the preceding month to the county governing body which shall distribute 50% of such proceeds to the special road maintenance fund of Bibb County and 50% to the account of the Bibb County Board of Education.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are repealed.

Section 10. This act shall become effective October 1, 1977.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cross, Edwards, Falkenburg, Folmar, Gafford, Greer, Gregg, Hall, Hill, Hilliard, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Leonard, Lutz, McCluskey, McCulley, McNees, Manley, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams, Wyatt, Younce and Ward.

—64

And the bill:

H. 531. Relating to Bibb County; to levy an excise and privilege tax on the severance of stone in said county; to provide for the collection, payment, and administration of such tax; to provide for the use of the proceeds of the tax for the maintenance, repair, and construction of improved roads in Bibb County.

As thus amended, was again read at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cross, Edwards, Falkenburg, Folmar, Gafford, Greer, Gregg, Hall, Harris, Hilliard, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lee, Lutz, McCluskey, McCulley, McNees, Marrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Trammell, Turnham, Venable, Warren, Whatley, White, Williams, Wyatt and Ward.

—60

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House.

H. 1009. Relating to cities with populations of more than three hundred thousand; allowing said cities to grant ad valorem tax exemptions for up to fifteen years to owner-developers who build new commercial or industrial facilities on previously improved real property within the city limits of said cities; providing that such owner-developers receiving such exemptions shall, however, pay abatement property taxes assessed on not less than the highest value at which said city property was assessed at anytime within five years prior to the grant of exemptions, and to provide for the procedures to be followed in the granting of such exemptions and in the determination of the amount of such abatement property taxes.

McDOWELL LEE,
Secretary.

SENATE AMENDMENT

On motion of Mr. Hilliard, the House concurred in and adopted the Senate amendment to the bill, H. 1009, said Senate amendment being as follows:

Amend H. 1009 as follows:

On page 1 in line 2 of the Title after the word "grant" and before the word "ad" insert the following:

city and county

On page 1 in line 3 of Section 1 after the word "grant" and before the word "ad" insert the following:

city and county

On page 2 in line 2 of Section 3 after the word "all" and before the word "taxes" insert the following:

city and county

Yeas 39; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Buskey, Coburn, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hilliard, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Leonard, Lewis, Lutz, McCluskey, McNair, Mitchem, Moore (O), Naramore, Owens, Reed, Shelton, Shoemaker, Smith (B), Sonnier, Trammell, Tucker, Waggoner and White.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1009. Relating to cities with populations of more than three hundred thousand; allowing said cities to grant city and county ad

valorem tax exemptions for up to fifteen years to owner-developers who build new commercial or industrial facilities on previously improved real property within the city limits of said cities; providing that such owner-developers receiving such exemptions shall, however, pay abatement property taxes assessed on not less than the highest value at which said city property was assessed at anytime within five years prior to the grant of exemptions, and to provide for the procedures to be followed in the granting of such exemptions and in the determination of the amount of such abatement property taxes.

As thus amended, was again read at length and passed.

Yeas 44; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Buskey, Coburn, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hilliard, Holmes (A), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Leonard, Lewis, Lutz, McCulley, McNair, McNees, Moore (O), Naramore, Owens, Quarles, Reed, Shelton, Shoemaker, Smith (B), Starkey, Trammell, Tucker, Waggoner, White, Williams, Younce and Ward.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

H. 1381 TEMPORARILY POSTPONED

On motion of Mr. Kinsey, the bill, H. 1381 with Senate amendment was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1159. To provide and regulate a tax exemption for annexed territory of incorporated municipalities with populations of 2,000 or more in any county having a population of 600,000 or more according to the 1970 or any subsequent federal decennial census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McNair, the House concurred in and adopted the Senate amendment to the bill, H. 1159, said Senate amendment being as follows:

1. Amend House Bill 1159 by adding thereto the following:

"Section 5. The governing body of such city may, at any time prior to the annexation of territory to its corporate limits adopt a resolution setting forth the minimum level of services which will be provided in such annexed territory for a period of time to be specified in such resolution, not to exceed five (5) years from the date of such annexation. Such resolution may also provide for the making of public improve-

ments specified therein in such annexed territory following annexation thereof and the length of time following such annexation within which such public improvements shall be started, or finished, or both. In the event such a resolution is adopted by the governing body of such city prior to annexation of territory to such city, the provisions of such resolution shall be held to be a contract by and between the city, on the one hand, and, on the other, (a) the persons and corporations owning property in such annexed territory, (b) the persons residing in such annexed territory, and (c) the persons and corporations, if any, occupying property in such annexed territory and conducting business operations therein. Any such person or corporation deemed by this Act to be a contracting party with such city under the terms hereof shall have the right in any court having jurisdiction to force the city to maintain such minimum level of services specified in such resolution for the length of time specified therein, or to force such city to develop the public improvements specified therein, if any, or both."

2. Amend House Bill 1159 by adding thereto the following:

"Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains."

3. Further amend House Bill 1159 by changing the heading of present Section 5. thereof to read "Section 7."; and, to change the heading of present Section 6. thereof to read "Section 8.".

Yeas 23; Nays 0.

Yeas:

Messrs.: Albright, Buskey, Glass, Goodwin, Hall, Hill, Hilliard, Hopping, Howard, Jackson (F), Johnstone, Jolly, Kennedy, Leonard, Lewis, McCulley, McNair, Quarles, Shelton, Smith (B), Trammell, Warren and Whatley.

—23

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1159 as thus amended, was again read at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.: Albright, Armstrong Glass, Hall, Hill, Hilliard, Holmes (A), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kennedy, Leonard, Lewis, Lutz, McNair, Moore (O), Owens, Quarles, Reed, Rich, Shelton, Shoemaker, Smith (B), Trammell, Weeks, Whatley and Ward.

—29

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 794. To amend further Sections 1, 4, 6, 7, 9, 10, 11, 12, 14, 16, 23 and 28 and to repeal Section 29 of Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), relating to cosmetology in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census, so as to further provide for the service area, compensation and expenses of members of the board; and to further regulate the teaching and practice of cosmetology.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Leonard offered the motion that the House non-concur in the Senate amendment to the bill, H. 794, said Senate amendment being as follows:

In the title, page 1, line 27, after the word "further" insert the following words and phrases:

the Title and

In the title, page 1, line 28, delete the words and figures, "and 28" and insert in lieu thereof the following words and figures:

, 28 and 32 ½

In the title, page 1, line 33, delete the word "and" at the end of the line.

In the title, page 1, line 34, delete the period(.) and after the word "cosmetology" insert the following words and phrases:

; and to make the act effective in all counties of the state.

In Section 1, line 36, page 1, after the word and figure "Section 1." insert the following words:

The Title and

In Section 1, line 37, page 1, delete the words and figures "and 28" and insert in lieu thereof the following words and figures:

, 28 and 32 ½

In Section 1, line 38, page 1, after the word "follows:" insert the following words and phrases:

"AN ACT To regulate the teaching and practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census; requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor; to repeal Act No. 653, General Acts 1957, Regular Session, page 981, as amended by Act No. 633, General Acts 1959, Regular Session, page 1540, which regulated the teaching and practicing of cosmetology.

In Section 1, line 22, page 6, after the word "counties —" insert the following:

Jefferson,

In Section 1, line 26, page 17, delete the quotation mark (") at the end of the sentence and insert the following paragraph:

"Section 32 ½. This Act shall become effective in all counties having a population of less than 600,000, according to the last or any subsequent federal decennial census unless within 6 months after the effective date of this Act a writing subscribed to by the Judge of Probate and the County governing body requesting not to come under the provisions of this Act and upon the adoption of a resolution by a majority vote of the board of revenue, court of county commissioners, or other like governing body of the county, whereby the county elects not to come under the provisions of said Act. The resolution, together with the proceedings had in connection with the passage thereof, shall be entered in the minute book of the county governing body and copies of said resolution, duly certified to by the chairman or presiding officer of the county governing body, shall be forthwith forwarded by the chairman or presiding officer of said county governing body to the Executive Secretary of the Alabama Board of Cosmetology and copy of said resolution shall also forthwith be published in a newspaper published in said county once a week for four consecutive weeks. Should the county governing body of a county which has elected not to come under the provisions of this Act, as herein provided, desire to accept the provisions thereof, it may do so by resolution to this effect unanimously adopted by said county governing body. Said resolution shall be entered upon the minutes of the governing body of the county and copies thereof, duly certified to by the chairman or presiding officer of the county governing body, forthwith be forwarded to the Board of Cosmetology. Notice of the action of the county governing body to accept the provisions of this Act shall also be given forthwith by publication of said resolution in a newspaper published in said county once a week for four consecutive weeks."

Amend H 794 as follows:

On page 1, line 33, by inserting before the word "compensation" the following word and punctuation: number,

On page 5, line 37, by striking out the word "seven" and inserting in lieu thereof the word nine

On page 6, line 30 by inserting, after the word "Jackson" the following language:

; two members shall reside in Jefferson County

Amend H 794 as follows:

On pages 15 and 16, line 10 on page 15 to line 15 on page 16, by striking out amended Section 16 entirely

MOTION TO POSTPONE TABLED

On motion of Mr. Owens, the motion offered by Mr. Tucker to temporarily postpone consideration of the bill, H. 794 with Senate amendment, was tabled.

Yeas 45; Nays 33.

Yeas:

Mr. Speaker, Biddle, Brindley, Buskey, Callahan, Clark, Cross, Dial, Folmar, Harris, Jackson (F), Jackson (R), Johnson, Kelley, Kennedy,

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Kinsey, Lee, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Owens, Rich, Roberts, Robertson, Sandusky, Shoemaker, Smith (C), Smith (M), Sonnier, Turnham, Venable, Waggoner, Weeks, Whatley, Wyatt, Younce and Ward.

—45

Nays:

Messrs.: Albright, Andrews, Boles, Campbell, Carter, Crawford, Edwards, Falkenburg, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Howard, Johnstone, Jolly, Leonard, Lewis, McNair, Merrill, Naramore, Quarles, Riddick, Shelton, Smith (B), Smith (J), Trammell and Tucker.

—33

MOTION TO NON-CONCUR

The question was again on the motion offered by Mr. Leonard that the House non-concur in the Senate amendment to the bill, H. 794.

MOTION TO TABLE LOST

The motion offered by Mr. Owens to table the motion to non-concur offered by Mr. Leonard, was lost.

Yeas 35; Nays 40.

Yeas:

Mr. Speaker, Armstrong, Callahan, Clark, Dial, Drake, Folmar, Hopping, Jackson (F), Johnson, Kelley, Kinsey, Lee, Lutz, McMillan, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Owens, Reed, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Sonnier, Venable, Weeks, Whatley, White, Wyatt and Younce.

—35

Nays:

Messrs.: Albright, Andrews, Boles, Brindley, Buskey, Campbell, Carter, Coburn, Crawford, Cross, Falkenburg, Ford, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Howard, Jackson (R), Jolly, Kennedy, Killian, Leonard, Lewis, McCulley, McNair, McNees, Merrill, Quarles, Riddick, Shelton, Smith (B), Smith (C), Trammell, Tucker and Warren.

—40

The question was again on the motion offered by Mr. Leonard that the House non-concur in the Senate amendment to the bill, H. 794, and request a Committee on Conference, and the motion was adopted.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Biddle, Boles, Brindley, Buskey, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Drake, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Morris, Pegues, Quarles, Reed, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Starkey, Trammell, Tucker, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—75

Nay: Mr. Folmar.

—1

REGULAR SESSION
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2559

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Owens, McNair and Lutz.

PERMISSION GRANTED

Permission was granted for the Journal to show that Mr. Gregg refrained from voting on the bill, H. 794, due to conflict of interest.

RESOLUTION

The following resolution was introduced:

By Mr. Manley:

H. R. 612. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That on this date, May 16, 1977, at the hour of 6:00 o'clock p.m., that the House stand in recess from 6:00 o'clock p.m. to 8:00 o'clock p.m.

On motion of Mr. Manley, the rules were suspended and the resolution, H. R. 612, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 193. To amend the Title and Sections 2 and 13 of Act No. 79, H. 99, 1966 Special Session (Acts of 1966, p. 106), as amended, entitled "An Act To provide in Jefferson County, Alabama, for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes; to provide that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of at least 100 qualified electors residing within any proposed district the probate judge shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed to be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms of office of the members of the board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for

all expenses incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the act and, subject to the limitations prescribed in the act, to provide that no such service charge shall be levied unless the same is first approved by a majority of the votes cast at an election held by the qualified electors residing within the district; to provide for the dissolution of any such district; to provide that the provisions of the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the act shall take effect," so as to provide for including medical rescue systems and services in fire fighting or prevention districts and to provide that any service charge to pay for such services or any increase thereof shall not be effective unless adequate prior public notice thereof has been given, and if an election thereon has been petitioned for by the electors of the district, such proposed charges must be approved by a majority of the qualified voters voting in an election held in a district.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hall, the House concurred in and adopted the Senate amendment to the bill, H. 193, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To amend the Title and Sections 2 and 3 of Act No. 79, H. 99, 1966 Special Session (Acts of 1966, p. 106), as amended, which act provides for the creation and maintenance of districts for fighting or preventing fires, and districts for the collection and disposal of garbage and districts for both of the aforesaid purposes so as to include medical rescue systems and services and park and recreational facilities.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 79, H. 99, 1966 Special Session (Acts of 1966, p. 106), as amended, is hereby amended further to read as follows:

"AN ACT

"To provide in Jefferson County, Alabama, for the creation and maintenance of districts for fighting or preventing fires and for the collection and disposal of garbage, providing medical rescue services and systems, and providing parks and recreational facilities; to provide that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of the qualified electors residing within any proposed district the probate judge shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the

district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms of office of the members of the board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for all expenses incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the act and, subject to the limitations prescribed in the act; to provide for the dissolution of any such district; to provide that the provisions of the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the act shall take effect."

Section 2. Section 2 of Act No. 79, H. 99, 1966 Special Session (Acts of 1966, p. 106), as amended, is hereby further amended to read as follows:

"Section 2. Definitions. The following words and terms as used in this act shall have the meanings ascribed to them in this Section 2, unless a contrary meaning is apparent from the context; "the act" shall mean this act; "the county" shall mean Jefferson County, Alabama; "district for fighting fires" shall mean a district created under the act for establishing and maintaining a system for fighting or preventing fires and providing medical rescue services and systems; "district for garbage disposal" shall mean a district created under the act for establishing and maintaining a system for the collection and disposal of garbage; "district for fire fighting and garbage disposal" shall mean a district created under the act for establishing and maintaining a system for fighting and preventing fires and providing medical rescue services and systems and a system for collection and disposal of garbage; and "district for parks and recreational facilities" shall mean a district created under the act for establishing parks and recreational facilities."

Section 3. Section 3 of Act No. 79, H. 99, 1966 Special Session (Acts of 1966, p. 106), is hereby amended to read as follows:

"Section 3. Any area situated entirely within the county may be established as a district for fighting fires, or a district for garbage disposal, or a district for fighting fires and garbage disposal, or a district for medical rescue systems, or a district for parks and recreational facilities, in the manner hereinafter provided for; provided, however, no land lying within the boundaries of a municipality at the time a district is formed shall be included in the district."

Section 4. This act shall become effective upon ratification of a constitutional amendment amending Amendment CCXXXIX proposed by Act No. 132, H. 178, 1964 First Special Session (Acts of 1964, p. 187), as amended by Amendment CCCXIV of the Constitution of Alabama of 1901, proposed by Act No. 506, H. 1406 of the 1971 Regular Session (Acts of 1971, p. 1230).

Yeas 28; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Brindley, Falkenburg, Gafford, Greer, Hall, Hill, Hilliard, Hopping, Howard, Johnstone, Jolly, Kelley, Killian, Leonard, Lutz, McCulley, McNair, Mitchem, Smith (B), Starkey, Trammell, Waggoner, White and Williams.

—28

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 193. To amend the Title and Sections 2 and 3 of Act No. 79, H. 99, 1966 Special Session (Acts of 1966, p. 106), as amended, which act provides for the creation and maintenance of districts for fighting or preventing fires, and districts for the collection and disposal of garbage and districts for both of the aforesaid purposes so as to include medical rescue systems and services and park and recreational facilities.

As thus amended, was again read at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Brindley, Buskey, Falkenburg, Gafford, Greer, Hall, Hill, Hilliard, Howard, Johnstone, Jolly, Killian, Leonard, Lutz, McCluskey, McCulley, McNair, Smith (B), Waggoner, White, Williams and Younce.

—26

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 194. To amend further Constitutional Amendment 239, proposed by Act No. 132, H. 178, 1964 First Special Session (Acts of 1964, p. 187), as amended by Amendment 314 of the Constitution of Alabama of 1901, proposed by Act No. 506, H. 1406 of the 1971 Regular Session (Acts of 1971, p. 1230), so as to provide for the formation of districts in Jefferson County to provide fire fighting and prevention and medical rescue systems and services, and garbage collection and disposal systems and

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services; and to permit the legislature to authorize such districts to establish and collect charges for such systems and services, provided, however, such charges or any increase thereof shall not be effective unless adequate prior public notice thereof has been given and, if an election on the proposed charges have been petitioned for by the electors of the district, the same are first approved by a majority of the votes cast in an election held by the qualified electors residing within the district.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hall, the House concurred in and adopted the Senate amendment to the bill, H. 194, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Proposing a further amendment to Amendment No. CCXXXIX of the Constitution of Alabama of 1901, providing for the creation of fire protection or garbage and trash disposal districts in Jefferson County so as to permit service districts for medical rescue systems and services and parks and recreational facilities.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment of Amendment CCXXXIX of the Constitution of Alabama of 1901, as amended by Amendment CCCXIV, is proposed to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation of the Governor:

PROPOSED AMENDMENT

1. As used in this amendment, these terms have the meanings here given them: "service district" means a district for which this amendment provides; "expenses" means the expenses of establishing a district and providing the services and facilities the district is authorized to provide; and "county governing body" means the governing body of Jefferson County.

2. The county governing body may provide for the formation of service districts in Jefferson County for any of the following purposes: to establish and maintain a system to fight or prevent fires and to furnish medical rescue services; to establish and maintain a system to collect and dispose of garbage and trash; and to provide park and recreational facilities; provided, however, that no territory lying within the limits of a municipal corporation at the time of the establishment of any such district shall be included within such district; and provided, further, that no such district shall be established unless the establishment thereof has been first approved by the qualified electors residing within the proposed district at an election held as provided for by laws heretofore or hereafter adopted by the Legislature, or as provided for by ordinances hereafter adopted by the County governing body.

A district may be established for any one or more of the foregoing purposes. The county governing body shall provide by ordinance for submitting to the qualified electors within the proposed district the question of whether the district shall be created for one or more of such purposes.

3. The district expenses shall be paid for by the proceeds of service charges or property taxes for which paragraphs 4 and 5, below, provide or by a combination of such proceeds; provided, however, that any funds received from the federal or state government may be used to pay such expenses.

4. Subject to the conditions stated in paragraph 6, below, the governing body of a district may by resolution levy service charges to pay the expenses of the district.

Said service charges shall be levied upon and collected from the persons for whom and the property for which the services and facilities are provided or made available; and such charges shall be a personal obligation of the occupant of such property and shall also be a lien upon such property, enforceable by the sale thereof.

5. Subject to the conditions stated in paragraph 6, below, the county governing body may by ordinance levy a tax on all taxable property in any district in addition to any other tax authorized by law, to pay the expenses of the district.

The taxes levied under this paragraph 5 shall be subject to the laws of the state providing for the following: the time for the levy and the payment of such taxes; the place of the payment of such taxes; the interest and penalties payable on such taxes not paid when due; the lien for the taxes; and the remedies for collection of such taxes unpaid.

6. No service charge or tax provided for by this amendment shall become effective unless before the creation of the district involved such service charge or tax shall have been approved at an election in the territory proposed to be established as a district held at the time of the election on establishing the proposed district or unless after the establishment of the district the following shall have occurred:

(1) the governing body adopting the resolution or ordinance shall have published the same in a newspaper of general circulation in the district involved;

(2) thirty (30) days shall have elapsed since the publication of such resolution or ordinance; and

(3) one of these two events, called Event A and Event B, shall have occurred: Event A: Thirty days following the said publication shall have passed without any petition for an election being filed under the ordinance paragraph 7, below, requires; Event B: At an election called under said ordinance the proposed service charge or tax shall have been approved.

7. The provisions of this paragraph 7 shall be subject to the conditions and limitations of paragraph 11, below. The county governing body shall adopt ordinances providing for elections to be held on the question of the establishment of districts in the unincorporated areas of the county and on the question of levying service charges or taxes to pay the expenses. The county governing body shall adopt an ordinance, or ordinances, governing elections on the question of the creation of proposed districts in the unincorporated areas of the county and on the question of whether a proposed service charge or tax shall be levied. Such ordinances shall provide for the following: the form of petition for such election; the number of qualified electors residing in the district or in the proposed district required to sign the petition to secure

such election; the conduct of the election and the time allowed for filing such petition in the office of the Probate Judge of the county, which time shall not be less than 30 days following the publication of the resolution or ordinance as required by paragraph 6, above.

8. The provisions of this paragraph 8 shall be subject to the conditions and limitations of paragraph 11, below. The county governing body by ordinance may provide for the enlargement of a district by the addition of territory thereto, subject to the following conditions: (1) No territory lying within a municipal corporation at the time of such enlargement shall be added to a district; (2) subject to (3), next below, no territory shall be added unless the qualified electors thereof have approved the addition of such territory to the district; (3) the county governing body may provide a procedure whereby territory will be included in a district upon the written petition for its inclusion signed by a least seventy percent (70%) of the qualified electors residing within said territory.

9. The provisions of this paragraph 9 shall be subject to the conditions and limitations of paragraph 11, below. The county governing body shall enact ordinances providing for the administration of the affairs of the district by the county governing body, the governing body of the district, or by any agency of the county and empowering the body administering the affairs of the district to levy and collect service charges provided for in paragraph 4, above, and the county governing body to levy the taxes provided for in paragraph 5, above, subject to the restrictions and conditions imposed by this amendment and such additional restrictions and conditions as the county governing body, by ordinance, may impose.

10. The county governing body, by ordinance, may provide for the issuance of bonds for such districts with or without an election; provided, however, that all bonds issued hereunder shall be payable only out of the proceeds of the service charges and taxes authorized hereby, and no such bond shall be a general obligation of the county.

11. The legislature may, from time to time, adopt laws governing service districts, including laws repealing any ordinance of the county governing body inconsistent with any law enacted by the legislature prior to the adoption of this amendment. If there is any inconsistency between any law enacted by the legislature after adoption of this amendment and any ordinance adopted by the county governing body, the law shall prevail over such ordinance. In order for a law enacted subsequent to the adoption of this amendment to prevail over any ordinance in conflict with such law, repeal of such ordinance shall not be necessary, but such repeal of the conflicting ordinance shall be permissible.

Section 2. An election upon the proposed amendment is ordered to be held on the same date as the first constitutional amendment election held after the expiration of three months from final adjournment of the 1977 regular session of the legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 17, Title 17, of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. If a newspaper is not published in the county, a copy of

the notice shall be posted at the courthouse and in three other places in the county.

Yeas 31; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Brindley, Falkenburg, Gafford, Greer, Hall, Hill, Hilliard, Howard, Johnstone, Jolly, Killian, Leonard, Lutz, McCluskey, McNair, Mitchem, Moore (O), Reed, Smith (B), Trammell, Tucker, Weeks, Whatley, White, Williams, Younce and Ward.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 194. Proposing a further amendment to Amendment No. CCXXXIX of the Constitution of Alabama of 1901, providing for the creation of fire protection or garbage and trash disposal districts in Jefferson County so as to permit service districts for medical rescue systems and services and parks and recreational facilities.

As thus amended, was again read at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Holley, Holmes (A), Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Trammell, Tucker, Turnham, Venable, Waggoner, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 42. To authorize the incorporation with respect to the several counties in this state, of nonprofit public corporations for the purpose of acquiring, enlarging, improving, replacing, expanding, owning, leasing and disposing of properties for the purpose of promoting industry, developing trade, and furthering the use of agricultural, natural and human resources; to provide for the issuance by any such corporation of interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to authorize the refunding of any such bonds or securities;

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to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases and mortgages to which such corporation is a party; to exempt such corporations from the laws of the state governing usury or prescribing interest rates; to exempt such corporations and all contracts made by it from the laws which provide for competitive bids in connection with certain contracts; to authorize certain conveyances to any such corporation by certain other public corporations and the assumption of the indebtedness thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Dial, the House non-concurred in and adopted the Senate amendment to the bill, H. 42, said Senate amendment being as follows:

Amend H. B. 42 on pages 15 and 16, Section 20, lines 17 & 18 on page 15, and lines 1 through 9 on page 16 by deleting the following: No proceedings, notice or approval shall be required for the organization of the corporation or the issuance of any bonds or any instrument as security therefor, except as is herein provided, any other law to the contrary notwithstanding; provided, that nothing herein shall be construed to deprive the state and its governmental subdivisions of their respective police powers over any properties of the corporation, or to impair any power thereover of any official or agency of the state and its governmental subdivisions which may be otherwise provided by law.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Biddle, Brindley, Buskey, Campbell, Coburn, Crawford, Dial, Edwards, Ford, Gafford, Greer, Hall, Hilliard, Jackson (F), Kelley, Killian, Lewis, Lockett, McNair, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Reed, Roberts, Sasser, Shoemaker, Smith (B), Smith (J), Starkey, Trammell, Tucker, Weeks, Whatley, White, Williams, Younce and Ward.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

On motion of Mr. Dial, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 42.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Dial, Shoemaker and Mitchem.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1330. To provide further for the operation of the board of registrars in Morgan and Baldwin County.

Also:

H. 1331. To further provide for the administration of absentee voting in Morgan County, except during municipal elections.

Also:

H. 1349. Relating to all counties having populations of not less than 22,000 nor more than 22,500 inhabitants according to the 1970 or any subsequent federal decennial census; authorizing the governing bodies of such counties to pay certain expenses incurred by the judge of probate and employees assigned to work in the probate judge's office.

Also:

H. 1357. To amend Section 5 of Act No. 265 adopted at the 1963 Regular Session of the Legislature of Alabama, as hertofore amended, which pertains to airport authorities, so as to make provisions with respect to the number and the terms of office of the members of the board of directors of any airport authority incorporated under said act in a county having not less than 300,000 inhabitants and not more than 600,000 inhabitants according to the last or any succeeding federal decennial census, and with respect to the eligibility of certain officers to serve as members of the board of directors of such an airport authority.

Also:

H. 1366. To alter or rearrange the boundary lines of the City of Samson, Geneva County, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory contiguous thereto, in Geneva County, Alabama.

Also:

H. 1367. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Coosa County, Alabama; to authorize the governing body of said county to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain courts in said county for such purpose and for the expenditure thereof; to provide for the management and control of said library.

Also:

H. 1368. Relating to Coosa County; fixing the terms of office of the members of the county commission.

Also:

H. 1369. Relating to all counties having populations of not less than 12,000 nor more than 12,800 inhabitants according to the 1970 or any subsequent federal decennial census; regulating expense allowances for members of the county board of equalization in such counties; and providing for the manner of payment therefor.

Also:

H. 1370. Relating to all counties having populations of not less than 10,900 nor more than 11,500 inhabitants according to the 1970 or

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any subsequent federal decennial census; further regulating the compensation of the members of the county board of equalization in any such county.

Also:

H. 1372. Relating to Pickens County; to authorize the governing bodies of Pickens County and the governing bodies of all municipalities within said county to create the Pickens County Park and Recreation Authority, to appropriate funds to such authority, and to abolish existing park and recreation boards upon the establishment of such authority.

Also:

H. 450. To amend Section 3 of Act No. 626 passed by the Legislature during the Regular Session of 1976 by providing the Act shall become effective only upon the approval of the Department of Health, Education, and Welfare of the federal government.

Also:

H. 573. To provide that an inter vivos gift of assets including but not limited to money, land, or buildings is void if the donor is left without means of support and has not reserved for himself for life an adequate amount from that gift to provide for his subsistence and to specify certain circumstances as herein defined in which the provisions of this act shall not apply.

Also:

H. 1380. To further amend Sections 1, 4 and 5 of Act No. 172, H. 187, First Special Session 1964, as amended, which Act relates to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by authorizing one additional legal stenographer and setting the salary range therefor, payable from county funds.

Also:

H. 1351. To name the state docks at Columbia, Alabama, for Mr. E. E. Wakefield.

Also:

H. 1375. Relating to all counties having a population of not less than 21,000 nor more than 22,000 inhabitants according to the 1970 or any subsequent federal decennial census; further implementing Section 9 of Act No. 160, H. 59 of the 1971 Third Special Session, relating to property reappraisal, so as to authorize the county governing bodies in such counties to employ appraisers, mappers, and clerical personnel to maintain current evaluation of all property and valuation of personal property.

Also:

H. 1374. To authorize the county governing bodies of all counties having populations of not less than 57,000 nor more than 61,000, according to the 1970 or any subsequent federal decennial census, to formulate, issue, promulgate and enforce any reasonable rules, regulations and directives to regulate further the operation of any motor or motorized vehicle upon coastal beaches or sand dunes located within the county.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committees on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 392. To provide that individuals who are charged and convicted of murder in the first degree, robbery, burglary, and rape and are subsequently sentenced to life imprisonment, shall not be eligible for parole; and to repeal conflicting statutes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Crowe, the House concurred in and adopted the Senate amendment to the bill, H. 392, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide that a person who has been twice convicted of a Class A felony, the second conviction resulting in a sentence of imprisonment for life, shall not be eligible for parole; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In all cases where a criminal defendant has been convicted of a Class A felony committed after a previous conviction of another Class A felony, and such second conviction results in a sentence to imprisonment for life, he shall not be eligible for parole.

Section 2. All laws in conflict with this Act are hereby repealed.

Section 3. This Act shall become effective one year after its passage and approval thereof by the governor or one year after its otherwise becoming a law.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Brindley, Campbell, Carothers, Cates, Coburn, Crawford, Crowe, Dial, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Hill, Holmes (A), Hopping, Howard, Johnstone, Kelley, Kennedy, Killian, Leonard, Lutz, McCluskey, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Plaster, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Sonnier, Starkey, Whatley, White, Williams, Wyatt, Younce and Ward.

And the bill:

H. 392. To provide that a person who has been twice convicted of a Class A felony, the second conviction resulting in a sentence of imprisonment for life, shall not be eligible for parole; and repealing conflicting laws.

As thus amended, was again read at length and passed.

Yeas 64; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Crowe, Dial, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Hill, Holmes (A), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Leonard, Lewis, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Starkey, Venable, Waggoner, Whatley, White, Williams, Wyatt, Younce and Ward.

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Nay: Mr. Hilliard.

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 327. To define an habitual criminal; providing procedure to determine who is an habitual criminal; providing for the indictment, trial, imprisonment, probation, parole and punishment of habitual criminals; prescribing rules of evidence for the trial of habitual criminals; prescribing the powers and duties of courts and juries in the trials of habitual criminals; prescribing the procedure and the powers and duties of courts in appeals from convictions and sentences of habitual criminals; and prescribing the form of complaints, charges, and indictment against habitual criminals.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Sasser offered the motion that the House concur in and adopt the Senate amendment to the bill, H. 327, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To provide penalties for habitual felony offenders by progressively increasing the class of felony and resulting sentence following conviction of a previous felony conviction.

Be It Enacted by the Legislature of Alabama:

Section 1. In all cases when it is shown that a criminal defendant has been previously convicted of any felony, he must be punished as follows:

(a) On conviction of a Class C felony, he must be punished for a Class B felony;

(b) On conviction of a Class B felony, he must be punished for a Class A felony;

(c) On conviction of a Class A felony, he must be punished by imprisonment for life or for any term of not more than 99 years but not less than 15 years.

Section 2. This Act shall become effective one year after its passage and approval thereof by the governor, or one year after its otherwise becoming law.

SUBSTITUTE MOTION ADOPTED

Mr. Sasser offered the substitute motion that the House non-concur in the Senate amendment to the bill, H. 327, and request a Committee on Conference, and the substitute motion was adopted.

Yeas 57; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Brindley, Buskey, Callahan, Carothers, Carter, Clark, Drake, Falkenburg, Ford, Gafford, Glass, Hall, Harris, Holmes (D), Hopping, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Trammell, Tucker, Waggoner, Whatley, Williams, Wyatt, Younce and Ward.

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Nay: Mr. Hilliard.

—1

On motion of Mr. Sasser, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 327.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Sasser, Johnstone and Hilliard.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 915. To authorize the district attorney of the Fifth Judicial Circuit of Alabama to appoint a chief deputy district attorney and to prescribe his duties; to fix his compensation and the manner of its payment.

Also:

H. 111. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1978, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 172. Relating to sick leave for teachers in city and county school systems and the Alabama Institute for Deaf and Blind. To amend Title 52, Sections 136 and 197, Code of Alabama, 1940, and Section 2 of Act 688, H. 452, 1951 Regular Session, to allow educators in city and county school systems and the Alabama Institute for Deaf and Blind to accumulate sick leave at the rate of one day for each month employed without limiting the number of days which may be accumulated.

Also:

H. 105. To amend Section 7 of Act No. 863, S. 441 of the 1975 Regular Session (Acts of 1975, p. 1701), which establishes the Alabama Firefighters Personnel Standards and Education Commission, so as to reduce the minimum age requirements for applicants for fire fighting positions.

Also:

H. 449. To repeal Act No. 641, Regular Session 1976, which prohibited the transfer of assets to meet eligibility requirements for medicaid.

Also:

H. 266. To amend, revise and reenact Act No. 1226, 1975 Regular Session (Acts 1975, p. 2562) entitled "An Act Relating to the commitment of mentally ill persons to the custody of the State Department of Mental Health; prescribing the procedures for the involuntary commitment of mentally ill persons, prescribing the duties and responsibilities of all persons and departments concerned with the commitment of mentally ill persons; providing for the rights of persons sought to be committed as mentally ill; providing for the payment of costs of proceedings for the commitment of mentally ill persons; providing for appeal to circuit court by persons committed as mentally ill; prescribing the jurisdiction of the probate court in regard to persons committed as mentally ill; providing for the transfer of mentally ill persons to facilities operated by the United States; and repealing conflicting laws," so as to further designate the institutions to which mentally ill persons may be committed, prescribing the procedures for involuntary commitment, prescribing the duties and responsibilities of all persons, agencies and departments concerning commitment of mentally ill persons, further protecting the rights of the persons sought to be committed and providing further for the appeal of commitment orders.

Also:

H. 3. To prohibit the abuse, neglect or exploitation of aged or disabled adults; to provide protective services for such persons; to require mandatory reporting by physicians and others of abuse, neglect or exploitation of such persons; to exempt persons reporting such abuse, neglect or exploitation from civil or criminal liability in connection with such reporting; to prescribe penalties for the abuse, neglect or exploitation of aged or disabled adults; and to provide penalties for failure of physicians and other practitioners of the healing arts to report such abuse, neglect or exploitation.

Also:

H. 587. To authorize the collection by certain state officers of blood or urine samples from the bodies of persons who die under certain circumstances; and to relieve the officer of any civil liability which might be incurred by such collection.

Also:

H. 99. Further regulating the trapping of fur-bearing animals in the State of Alabama; amending Title 8, Section 91, Code of Alabama, 1940 (Recompiled 1958) so as to increase the fees chargeable for the issuance of trapping licenses, prescribing additional regulations relative to traps and designating additional criminal offenses relative to trapping of fur-bearing animals; placing strict civil liability upon persons who cause injury or damages to persons or property as a result of trapping fur-bearing animals; further regulating the trapping of fur-bearing animals on any state highway right-of-ways; providing that traps shall be checked on a periodic basis; prohibiting the suspending of bait over steel traps; prescribing criminal penalties; and requires certain reports to be filed by trappers and fur dealers.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 576. HONORING PAMELA RHODES FOR WINNING THE STATE SPELLING BEE.

Also:

H. J. R. 577. COMMENDING MRS. AVOLINE LECROY, NEWLY ELECTED 2ND LIEUTENANT GOVERNOR, DISTRICT II, PILOT INTERNATIONAL.

Also:

H. J. R. 579. MOURNING THE TRAGIC DEATH OF JOHN H. NEWMAN, III.

Also:

H. J. R. 602. COMMENDING MRS. JO MARSHALL, SPONSOR OF PI PI CHAPTER OF PHI THETA KAPPA AND ADVISOR FOR THE ALABAMA REGION OF PHI THETA KAPPA.

Also:

H. J. R. 604. COMMENDING MISS JERI ANN BATY.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 1073. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the 1970 or any

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subsequent federal decennial census; requiring a rotation system for wreckers; prohibiting speeding, reckless driving, on-the-scene solicitation by wrecker drivers; prohibiting wreckers from going to the scene of a wreck unless called; prohibiting troopers or any other law enforcement officer in such counties from displaying favoritism in calling wreckers; and establishing penalties.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1073, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 600. To amend Section 185, subsections A, B, C, D, E, G, H, K, L, M, N and O of Section 186, Section 191, subsections D, E and F of Section 201, paragraph (1) of subsection A and paragraph (3) of subsection C, and paragraph (4) of subsection G of Section 204, subsection B of Section 205, Section 209, Section 224, Section 225, and Section 251, Title 26, Chapter 4, Code of Alabama 1940, as last amended, in order to expand coverage to employees of the State and its instrumentalities and to provide financing for the benefit costs for such employees, to extend coverage to employees of political subdivisions of this State, certain agricultural and domestic employers and public and non-profit primary and secondary schools, to accelerate the recovery of the Trust Fund to a more solvent condition by increasing the employers' rate of contribution effective July 1, 1977 by one-half percent (but not above the present 4.0% maximum rate) and effective January 1, 1978, to increase the taxable wage base from the current \$4,800 and the federally required \$6,000 to \$6,600.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Folmar offered the motion that the House concur in and adopt the Senate amendment to the bill, H. 600, said Senate amendment being as follows:

Amendment to House Bill 600.

In Section 9, on page 38, delete the words and figures three and one-half percent (3.5%) on lines 9 and 10 and substitute in lieu thereof the words and figures four percent (4.0%).

Amend House Bill 600 at the end of Section 18, by inserting "further provided that in the event any local governmental entity which becomes a part of any suit in the courts of the United States challenging the constitutionality of the provisions of Section 115 of Public Law 94-566 and such court of competent jurisdiction which temporarily stays the implementations of said provisions of Federal law, then during the effective period of such stay, a coverage of said provisions shall be stayed in this state, but shall be applicable only to those entities that are made a party to the suit or are included in the stay."

SUBSTITUTE MOTION TABLED

On motion of Mr. Folmar, the substitute motion offered by Mr. Lutz that the House non-concur in the Senate amendment to the bill, H. 600, was tabled.

Yeas 43; Nays 40.

Yeas:

Messrs.: Albright, Baker, Buskey, Carter, Cates, Coburn, Cooper, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Goodwin, Greer, Hall, Hill, Holmes (A), Holmes (D), Hopping, Howard, Johnson, Johnstone, Jolly, Kennedy, Lewis, McNair, McNees, Martin, Mitchem, Moore (O), Naramore, Plaster, Quarles, Rich, Sandusky, Sonnier, Taylor, Trammell, Venable, Williams, Wyatt and Younce.

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Nays:

Mr. Speaker, Andrews, Armstrong, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Clark, Crawford, Dial, Gafford, Gregg, Harris, Hilliard, Holley, Jackson (F), Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McMillan, Manley, Morris, Pegues, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Turnham, Waggoner, Weeks and White.

—40

The question was then on the motion offered by Mr. Folmar that the House concur in the Senate amendment to the bill, H. 600.

SUBSTITUTE MOTION OFFERED

Mr. Morris offered the substitute motion to temporarily postpone the bill, H. 600 with Senate amendment.

MOTION TO TABLE LOST

The motion offered by Mr. Folmar to table the substitute motion to postpone offered by Mr. Morris, was lost.

Yeas 39; Nays 46.

Yeas:

Messrs.: Albright, Brindley, Buskey, Callahan, Carter, Cates, Coburn, Cooper, Crowe, Drake, Folmar, Goodwin, Greer, Hall, Hill, Hilliard, Holmes (A), Hopping, Howard, Johnson, Johnstone, Jolly, Kennedy, Lewis, McNair, McNees, Martin, Mitchem, Moore (O), Naramore, Plaster, Quarles, Sandusky, Shoemaker, Trammell, Tucker, Venable, Williams and Younce.

—39

Nays:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Clark, Crawford, Cross, Falkenburg, Ford, Gafford, Gregg, Harris, Holley, Holmes (D), Jackson (F), Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McMillan, Manley, Morris, Pegues, Reed, Riddick, Roberts, Sasser, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Turnham, Waggoner, Weeks, White, Wyatt and Ward.

—46

SUBSTITUTE MOTION ADOPTED

The question was then on the substitute motion offered by Mr. Morris to temporarily postpone consideration of the bill, H. 600 with Senate amendment, and the substitute motion was adopted.

Yeas 50; Nays 38.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Crawford, Falkenburg, Gafford, Harris, Holley, Jackson (F), Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Morris, Pegues, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Turnham, Venable, Waggoner, Weeks, White, Williams and Ward.

—50

Nays:

Messrs.: Albright, Boles, Buskey, Coburn, Cooper, Cross, Crowe, Drake, Edwards, Folmar, Ford, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Holmes (A), Hopping, Jackson (R), Johnson, Johnstone, Kennedy, Lewis, McNair, Martin, Mitchem, Moore (O), Naramore, Plaster, Quarles, Rich, Sandusky, Taylor, Trammell, Tucker, Wyatt and Younce.

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H. 600 TEMPORARILY POSTPONED

On substitute motion of Mr. Morris, consideration of the bill, H. 600 with Senate amendment, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 806. To amend further Section 3 of Act No. 1945, H. 584, Regular Session 1971 (Acts 1971, p. 3143), as last amended, which provides for and regulates the employment of county engineers so as to provide that the county engineer in certain counties need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of the county engineer's salary.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Dial, the House concurred in and adopted the Senate amendment to the bill, H. 806, said Senate amendment being as follows:

Amend House Bill 806 as follows:

In the synopsis, on line 10, after the word "Clay" add "and Walker". Also, on line 10, strike the word "County" and add the word "Counties."

On page two of the bill, on line 7, strike the words "and Clay" and add the following: Clay and Walker.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Baker, Biddle, Campbell, Carter, Cates, Cooper, Crowe, Dial, Drake, Falkenburg, Gafford, Hall, Hilliard, Holmes (A), Hopping,

Jackson (F), Killian, Lee, Lutz, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Trammell, Weeks, White, Wyatt and Younce.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 806 as thus amended, was again read at length and passed.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Baker, Callahan, Campbell, Cates, Cooper, Crowe, Dial, Drake, Falkenburg, Folmar, Gafford, Greer, Hall, Harris, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jolly, Kelley, Lewis, Lutz, McCluskey, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Trammell, Venable, Weeks, Whatley, White, Wyatt, Younce and Ward.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, returning the following Bill without his approval:

S. 645. Relating to all counties having a population of not less than 18,500 nor more than 20,500 inhabitants according to the 1970 or any subsequent federal decennial census; to provide for a certain clerk hire allowance for the Tax Assessor and Tax Collector of such counties.

Said Governor's Message being in words and figures as follows:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning Senate Bill 645, without the Governor's approval.

Respectfully submitted,

HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 21 DAY OF APRIL, 1977.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, Senate Bill Number 645, without my signature and approval.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the Senate has reconsidered said Bill, S. B. 645, and said Bill was again read at length and passed, the Governor's veto to the contrary notwithstanding, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, S. B. 645, together with the Governor's Message, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The House proceeded to reconsider the bill, S. 645, the title to which is set out in the above and foregoing Message from the Senate.

The question was on the passage of the bill, S. 645, the Governor's veto to the contrary notwithstanding.

On motion of Mr. Clark, the House refused to pass said bill over the veto of the Governor.

Yeas 38; Nays 0.

Yeas:

Messrs.: Brindley, Callahan, Campbell, Carter, Clark, Coburn, Dial, Falkenburg, Gafford, Greer, Hall, Harris, Hill, Hillianrd, Holmes (D), Hopping, Jackson (F), Kelley, Killian, Leonard, McCluskey, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Roberts, Shoemaker, Smith (J), Trammell, Venable, Weeks, Whatley and White.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Jones, Powell and Mitchell:

S. J. R. 365. MOURNING THE DEATH OF CECIL FRIZZLE.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Barron, the House concurred in and adopted the resolution, S. J. R. 365, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1381. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the 1970 or any subsequent federal decennial census; requiring the installation in each county of an improved system of indexing and recording documents affecting the title to property and recorded in the office of the judge of probate of such county, so as to provide for the microphotographing of instruments recorded as a part of said improved system; and so as to provide further details with respect to the said improved system, its installation and maintenance, and the duties of the judge of probate with respect thereto.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McMillan, the House concurred in and adopted the Senate amendment to the bill, H. 1381, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the 1970 or any subsequent federal decennial census; requiring the installation in each county of an improved system of indexing and recording documents affecting the title to property and recorded in the office of the judge of probate of such county, so as to provide for the microphotographing of instruments recorded as a part of said improved system; and so as to provide further details with respect to the said improved system, its installation and maintenance, and the duties of the judge of probate with respect thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words and phrases, including the plural of any thereof, whenever used in this act, shall have the following respective meanings:

"The county" means any county subject to the provisions of this act.

"The probate office" means the office of the judge of probate of the county.

"Code" means the Code of Alabama of 1940, Recompiled 1958.

"Effective installation date" means the date designated by the judge of probate of the county as the date when a substantial portion of the improved indexing and recording system herein provided for shall have been first placed in effective and practical operation.

"Miscellaneous instrument" means any instrument or document affecting the title to real property that may have been recorded in the probate office, prior to the effective installation date, in a volume of miscellaneous instruments bearing the designation "Miscellaneous Book," or some similar designation, as distinguished from a Deed Book or Mortgage Book; but shall not include any instrument filed for record after the effective installation date.

"Real property instrument" means and includes any instrument or document affecting the title to real property that may be now or hereafter filed for record in the probate office pursuant to the applicable requirements of the laws of this state, including, but without limitation to Articles 10 and 11 of Chapter 3, of Title 47 of the Code and all statutes providing for the filing and recording of notices or statements of liens of any kind, notices of Lis Pendens, declarations of claims of exemptions, certificates of judgment, and plats or maps showing subdivisions of real estate; but shall not include any miscellaneous instrument.

"General property instrument" means a real property instrument that affects the title to personal property as well as real property.

"Personal property instrument" means any instrument or document affecting the title to personal property only (as distinguished from real property) that may be now or hereafter filed for record in the probate office, in accordance with the applicable requirements of the laws of this state, including particularly said Articles 10 and 11.

"Improved indexing and recording system" means a system of indexing and recording real property instruments, miscellaneous instruments, and personal property instruments in the probate office and, in the discretion of the governing body of the county, of recording other instruments and documents in the probate office, which system, when completed, will consist of the following: (a) The following microphotographed copies; (i) microphotographed copies of all real property instruments, (or of the record of such instruments) or any instrument required by law to be recorded at any time filed for record in the probate office, such copies to be arranged chronologically, according to the date of the filing for record of the original instruments, in such a manner that said copies will be readily available for inspection and which will be most suitable to carry out the intent and purpose of this Act, and which shall be separated into different classifications indicating generally the nature of the instruments recorded in each container of such copies to be designated by the judge of probate of the county. And may include such classifications as "Real Property," "Miscellaneous," "Mechanic's and Materialmen's Liens," "Judgments" and the like; microphotographed copies of any or all of the following records and instruments (or the record thereof) at any time filed for record, recorded or made an official record in the probate office; certificates of incorporation, amendment and dissolution pertaining to corporations, and any other documents properly recorded in the Incorporation Records of the county, Wills, and Records of Adoptions, Legitimations, Marriage Licenses, Administrator's Accounts, and Tax Sales; (b) equipment necessary and suitable to prepare and contain the microphotographed records hereinabove referred to, and to view in enlarged size the said microphotographed records.

"Initial installation costs" means the costs of the initial installation of an improved indexing and recording system.

Section 2. Installation and Maintenance of system. The county commission or like governing body of the county is hereby authorized,

directed and required to provide for the installation, and thereafter for the maintenance, of an improved indexing and recording system in the probate office of the county. The initial installation of the improved indexing and recording system shall include the following: (a) The acquisition of the equipment provided for in clause (b) of the definition hereinabove set forth of an improved indexing and recording system; (c) the microphotographing and filing in suitable containers or other receptacles of the public records of all real property instruments, personal property instruments, and miscellaneous instruments that are of record in the probate office of the county on the effective installation date and of any other than existing records in the probate office the inclusion of which in the improved recording and indexing system provided that such additional microphotographing and filing is approved by resolution of the governing body of the county; (d) the establishment of procedures for the continued microphotographing and filing of all instruments and records that will, after the effective installation date, constitute a part of the improved indexing and recording system. Following its installation in the county, the improved indexing and recording system shall be thereafter maintained in the county and all real property instruments, general property instruments, and personal property instruments and other documents and records herein provided to constitute a part of said system that may be thereafter filed for record or recorded in the probate office of the county shall be photographed, recorded, and indexed in accordance with the aforesaid improved indexing and recording system. Each real property instrument and each personal property instrument shall be operative as a record from the time of its delivery to the judge of probate of the county, in accordance with the provisions of existing law, including particularly Section 98 of Title 47 of the Code.

Section 3. Official and Permanent Records, What Constitutes. On and after the effective installation date, the microphotographic copies of all instruments and records provided herein to be microphotographed shall constitute the official record of such instruments for the purposes of Articles 10 and 11 of Chapter 3 of the Code and all other laws applicable to the recording of any of such instruments and for all other purposes; and the record of real property instruments, personal property instruments, miscellaneous instruments, and other documents and records that may be microphotographed pursuant to the provisions of this act, made in books prior to the effective installation date shall not thereafter constitute official records.

Following the effective installation date, real property instruments, personal property instruments, and other documents and records provided herein to be microphotographed shall no longer be recorded in books.

Section 4. Applicability of Existing Laws. All provisions of the laws of Alabama with respect to the recording and indexing of real property instruments, personal property instruments, general property instruments, miscellaneous instruments, and other instruments and records that may constitute part of an improved indexing and recording system installed hereunder (including, but without limitation to, the provisions of Articles 10 and 11 of Chapter 3 of Title 47 of the Code, and the provisions of all statutes respecting the filing and recording of notices or statements of liens of any kind, notices of Lis Pendens, declarations of claims of exemption, certificates of judgment, or plats or maps showing subdivisions of real estate) that are not inconsistent with the provisions of this act shall continue in effect with respect to an improved indexing and recording system installed hereunder, the

recording and indexing of instruments therein, and the duties of the judge of probate with respect thereto.

Section 5. Severability. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. Repeal of Conflicting Laws. All laws or parts of laws which conflict with this act are, to the extent of such conflict, repealed.

Section 7. Effective Date. This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

Yeas 38; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Barron, Biddle, Brindley, Callahan, Campbell, Carter, Crowe, Drake, Folmar, Glass, Greer, Hall, Harris, Holmes (A), Kelley, Killian, Kinsey, Lee, Lewis, McCluskey, McMillan, Mitchem, Moore (O), Moore (W), Plaster, Quarles, Roberts, Sandusky, Shoemaker, Sonnier, Venable, Waggoner, Weeks, White, Wyatt and Younce.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1381. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the 1970 or any subsequent federal decennial census; requiring the installation in each county of an improved system of indexing and recording documents affecting the title to property and recorded in the office of the judge of probate of such county, so as to provide for the microphotographing of instruments recorded as a part of said improved system; and so as to provide further details with respect to the said improved system, its installation and maintenance, and the duties of the judge of probate with respect thereto.

As thus amended, was again read at length and passed.

Yeas 46; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Biddle, Brindley, Callahan, Campbell, Carter, Cates, Crawford, Drake, Falkenburg, Folmar, Gafford, Glass, Greer, Hall, Harris, Hill, Holmes (A), Jackson (F), Kelley, Killian, Kinsey, Lewis, McCluskey, McMillan, McNees, Merrill, Mitchem, Moore (O), Moore (W), Pegues, Plaster, Quarles, Roberts, Sandusky, Shelton, Smith (J), Sonnier, Trammell, Venable, Waggoner, Weeks, White, Wyatt and Younce.

—46

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1345. Relating to any judicial circuit composed of two counties, one county having a population of not less than 16,600 nor more than 16,950 inhabitants and one county having a population of not less than 22,575 nor more than 23,800 inhabitants according to the 1970 or any subsequent federal decennial census; creating the office of public defender and providing for the manner of appointment, the operation and financing of such office; providing such office for the representation and defense of persons accused of crime whom the courts declare indigent; establishing the Public Defender Commission; defining the authority, powers, duties and limitations of said commission and defender; providing for the vacancy of said office of defender; authorizing the taxing and collecting of certain additional court costs in certain courts within said counties for financing the operation of the office of Public Defender and representation of indigents, such revenues to be designated for the Public Defender's fund; continuing the opportunity for lawyers to be appointed to represent such indigents; requiring that any excess money in the Public Defender Fund be returned on a prorata basis to the counties and municipalities which funded the said office and its operation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Crowe, the House concurred in and adopted the Senate amendment to the bill, H. 1345, said Senate amendment being as follows:

Amend H. B. 1345, Section 3, page 3, lines 21 through 25 by striking Section 3.(a) in its entirety and inserting in lieu thereof new Section 3.(a) as follows:

Section 3.(a) The commission by vote of a simple majority of its members shall select the Public Defender of said circuit immediately after the effective date of this act. Such appointees shall serve until January 1, 1982. Successive selection of said Public Defender shall be made on the first Tuesday after the first Monday in November 1981, and every four (4) years thereafter to serve for a four-year term ending on the last day of the calendar year of the fourth year of said term. Said appointee may be removed by a majority vote of the five man commission.

Also, in Section 19, page 10, line 18, by striking the words and figure ", except as otherwise provided herein"

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Brindley, Campbell, Carter, Cates, Crawford, Crowe, Falkenburg, Folmar, Ford, Gafford, Glass, Greer, Hall, Hill, Holmes (A), Jackson (F), Johnstone, Kelley, Killian, Lewis, McCluskey, McNees, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Roberts, Sandusky, Shelton, Smith (B), Trammell, Venable, Waggoner, Weeks, White, Williams and Wyatt.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1345 as thus amended, was again read at length and passed.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Barron, Biddle, Brindley, Campbell, Carter, Cates, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Glass, Greer, Hall, Hill, Holmes (A), Jackson (F), Johnstone, Kelley, Killian, Lee, Lewis, McCluskey, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Plaster, Quarles, Roberts, Sandusky, Shelton, Smith (B), Trammell, Venable, Weeks, White, Williams and Wyatt.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 42. To authorize the incorporation with respect to the several counties in this state, of nonprofit public corporations for the purpose of acquiring, enlarging, improving, replacing, expanding, owning, leasing and disposing of properties for the purpose of promoting industry, developing trade, and furthering the use of agricultural, natural and human resources; to provide for the issuance by any such corporation of interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to authorize the refunding of any such bonds or securities; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities and conveyances, leases and mortgages to which such corporation is a party; to exempt such corporations from the laws of the state governing usury or prescribing interest rates; to exempt such corporations and all contracts made by it from the laws which provide for competitive bids in connection with certain contracts; to authorize certain conveyances to any such corporation by certain other public corporations and the assumption of the indebtedness thereof.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Stewart, Mitchell and Teague.

McDOWELL LEE,
Secretary.

REPORT OF CONFERENCE COMMITTEE

We, the committee of conference appointed to reconcile the differences between the two houses concerning the Bill, H. B. 42, have met and considered the matter referred and beg leave to report as follows:

Amend H. B. 42 on pages 15 and 16, Section 20, lines 37 and 38 on page 15, and lines 1 through 9 on page 16 by deleting the following: No proceedings, notice or approval shall be required for the organization of the corporation or the issuance of any bonds or any instrument as security therefor, except as is herein provided, any other law to the contrary notwithstanding; provided, that nothing herein shall be construed to deprive the state and its governmental subdivisions of their respective police powers over any properties of the corporation, or to impair any power thereover of any official or agency of the state and its governmental subdivisions which may be otherwise provided by law.

GERALD DIAL

WALLACE SHOEMAKER

HINTON MITCHEM

Conferees on the Part of the House

DONALD W. STEWART

JOHN A TEAGUE

WILLIAM W. MITCHELL

Conferees on the Part of the Senate

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Dial, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 42, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 46; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Barron, Biddle, Brindley, Campbell, Carter, Cates, Crawford, Falkenburg, Folmar, Ford, Gafford, Glass, Greer, Hill, Holmes (A), Jackson (F), Johnstone, Kelley, Killian, Lewis, Lockett, McCluskey, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Pegues, Plaster, Quarles, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Trammell, Venable, Waggoner, Weeks, White and Wyatt.

—46

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 42. To authorize the incorporation with respect to the several counties in this state, of nonprofit public corporations for the purpose of acquiring, enlarging, improving, replacing, expanding, owning, leasing and disposing of properties for the purpose of promoting industry, developing trade, and furthering the use of agricultural, natural and human resources; to provide for the issuance by any such corporation

of interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to authorize the refunding of any such bonds or securities; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases and mortgages to which such corporation is a party; to exempt such corporations from the laws of the state governing usury or prescribing interest rates; to exempt such corporations and all contracts made by it from the laws which provide for competitive bids in connection with certain contracts; to authorize certain conveyances to any such corporation by certain other public corporations and the assumption of the indebtedness thereof.

As thus amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 47; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Barron, Biddle, Brindley, Campbell, Carter, Cates, Cross, Falkenburg, Folmar, Ford, Gafford, Glass, Greer, Hall, Hill, Holmes (A), Jackson (F), Johnstone, Kelley, Killian, Lewis, Lockett, Lutz, McCluskey, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Starkey, Trammell, Venable, Waggoner, Weeks and Wyatt.

—47

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the Report of the Committee on Conference on the disagreement of the two Houses on the Bill:

S. 469. To set forth a declaration of public policy and legislative intent; to define terms used herein; to require that persons detonating blasting agents and/or explosives be examined and licensed by the State of Alabama; to provide for the payment of fees for examinations and licenses; to provide for the suspension and revocation of licenses and for hearings and appeals in connection therewith; to provide for the licensing of certain persons experienced in blasting without examination upon the payment of a fee; to provide certain standards of blasting safety including notification to owners of certain types of properties and requiring that protective measures be taken when needed in regard to such properties, the covering of a certain type of detonating cord in certain circumstances, prohibiting the impeding of traffic by the throwing of blasted material on highways without prior agency approval and the prohibition of night time blasting except when necessary for safety of operations or with prior approval of Agency; to establish standards for blasting including establishing a peak particle velocity of ground motion at certain locations, the establishing of formulae for regulating the amounts of blasting agents and/or explosives allowable under certain conditions and establishing a table of such amounts; to provide for monitoring of blasting by seismological

devices and prescribing criteria for their design and use; to establish a formula for computing certain effects of blasting; to establish permissible occasions for the use of seismographic equipment; to provide for the keeping of certain records and their availability for examination by the state; to require that those engaged in blasting operations obtain property damage and personal injury liability insurance; to establish penalties for the violation of this Act; to provide for the administration of this Act by the Department of Industrial Relations and by the Alabama Surface Mining Reclamation Commission; to provide a severability clause; to repeal certain laws and to prohibit the enactment of local, county, or municipal regulations; to establish powers of the administering agencies; to establish a short title, and to provide for an effective date.

and has requested that the present Conference Committee be discharged and a new Conference Committee appointed.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Littleton, Teague, and Wilson.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Waggoner, the House non-concurred in the Report of the Committee on Conference on the disagreement of the two Houses on the bill, S. 469, and requested that the present Conference Committee be discharged and a new Conference Committee appointed.

And the Speaker of the House named as the new Committee on Conference on the part of the House, Messrs. Waggoner, Killian and Sandusky.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 424. To amend Title 11, Section 98, Code of Alabama 1940, relating to juror's fees so as to provide that such fees shall be termed as "expense allowance" rather than "compensation".

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Holmes (D), the House concurred in and adopted the Senate amendment to the bill, H. 424, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To amend further Title 11, Section 98, Code of Alabama 1940, as amended by Section 16-154 of the Judicial Implementation Act, relating to juror's fees so as to provide that such fees shall be termed as "expense allowance" rather than "compensation."

Be It Enacted by the Legislature of Alabama:

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Section 1. Section 98 of Title 11, Code of Alabama 1940, is hereby amended to read as follows:

"Section 98. Regular jurors, grand and petit, are entitled to ten dollars expense allowance for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation expense allowance to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, and payable out of the county treasury."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Boles, Campbell, Cates, Coburn, Cooper, Crawford, Cross, Folmar, Gafford, Hall, Hill, Holmes (D), Hopping, Jackson (F), Johnson, Kelley, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Pegues, Reed, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Trammell, Tucker, Venable, Weeks, White, Wyatt and Ward.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 424. To amend further Title 11, Section 98, Code of Alabama 1940, as amended by Section 16-154 of the Judicial Implementation Act, relating to juror's fees so as to provide that such fees shall be termed as "expense allowance" rather than "compensation."

As thus amended, was again read at length and passed.

Yeas 56; Nays 2.

Yeas:

Mr. Speaker, Albright, Baker, Boles, Buskey, Callahan, Campbell, Carter, Cates, Cooper, Crawford, Cross, Falkenburg, Folmar, Gafford, Gregg, Hall, Holley, Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Kelley, Kinsey, Leonard, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Pegues, Plaster, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Trammell, Tucker, Venable, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—56

Nays: Messrs. Holmes (A) and McNair.

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Mitchell:

S. J. R. 360. NAMING A SECTION OF ALABAMA STATE HIGHWAY 10 EAST, "GLENN MOODY DRIVE."

Also:

By Mr. Waldrop:

S. J. R. 361. MOURNING THE DEATH OF LOIS JEWEL MINTZ NORTON.

Also:

By Mr. Waldrop:

S. J. R. 362. COMMENDING THE LADY VOLUNTEERS AT JOHN JONES ELEMENTARY SCHOOL, RAINBOW CITY, FOR THEIR WORK ON THE SAFETY PATROL, 1976-1977

Also:

By Messrs. Vacca and Gilmore:

S. J. R. 363. COMMENDING MONROE J. BEASLEY, SR., FOR SIGNIFICANT CONTRIBUTIONS IN THE FIELD OF GOSPEL MUSIC.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cates, consideration of the resolution, S. J. R. 360, was temporarily postponed.

On motion of Mr. Ford, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 361, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Mr. Ford, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 362, the title of which is set out in the above and foregoing Message from the Senate.

Consideration of the resolution, S. J. R. 363, was temporarily postponed.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bill Number 1134, and containing suggested Executive Amendments.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 16th DAY OF MAY, 1977.

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30th Day

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To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill 1134 without my signature and approval and with the following suggested Executive Amendments.

It is my suggestion that this Bill be amended by deleting the title in its entirety, and substituting in lieu thereof the following:

To provide for a pay increase for sworn law enforcement officers with full peace officer authority in the service of the State, to provide security by the Department of Public Safety to any former governor who has sustained bodily injury as a result of a criminal act or another, and to appropriate necessary funds.

I further suggest that Section 1 be deleted in its entirety, and substitute in lieu thereof the following:

Section 1. Each sworn law enforcement officer, excluding department, board, commission or agency head, and assistant department, board, commission or agency head who has full peace officer authority, and who is employed full time in such capacity by the Department of Conservation and Natural Resources including Game Refuge Managers, including law enforcement officers in the Department of Industrial Relations and Fire Marshalls including law enforcement officers in the Forestry Department, the Alabama Alcoholic Beverage Control Board, the State Department of Revenue, Department of Insurance (Fire Marshalls), the Board of Corrections, the Alabama Department of Agriculture and Industries, the Department of Health, the Board of Pardons and Paroles, the Department of Finance (Capitol Guards), the Public Service Commission, and the Securities Commission, and all other sworn law enforcement officers who have full peace officer authority, and who are employed full time in such capacity by the State of Alabama in any other department, agency, board, or commission not herein specifically mentioned, shall upon the effective date of this Act be entitled to, and receive a bi-weekly salary increase of \$115.00 effective October 1, 1977.

I further suggest that a new Section 3 and 4 be added; and that the present Sections 3 and 4, and subsequent sections, be renumbered accordingly.

It is my suggestion that the new Section 3 read as follows:

Section 3. The Department of Public Safety shall provide and maintain a minimum of two personnel to provide protection and security to the person of any former governor who while in office sustained bodily injury from any violent criminal act of another.

It is may further suggestion that the new Section 4 read as follows:

Section 4. Such personnel shall be provided beginning at the end of the term of office of any such governor, and shall continue for such time and duration as deemed necessary by such former governor.

The adoption of the above and foregoing suggested Executive Amendments will remove my objections to this Bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Naramore, the House non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, H. 1134, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 59; Nays 13.

Yeas:

Messrs.: Albright, Barron, Biddle, Buskey, Callahan, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Ford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Holley, Holmes (A), Holmes (D), Hopping, Jackson (R), Kelley, Kinsey, Leonard, Lewis, Lockett, Lutz, McCluskey, McNees, Martin, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Shoemaker, Smith (B), Smith (J), Starkey, Taylor, Turnham, Weeks, Whatley, Williams, Wyatt and Younce.

—59

Nays:

Messrs.: Armstrong, Carothers, Cooper, Folmar, Jackson (F), Johnstone, Lee, McMillan, Moore (O), Sasser, Tucker, Venable and Waggoner.

—13

Which was a majority of the whole number elected to the House.

And the bill:

H. 1134. To provide for a pay increase for sworn law enforcement officers with full peace officer authority in the service of the state, and to appropriate necessary funds.

Was again read at length and passed, the Governor's objections to the contrary notwithstanding.

Yeas 75; Nays 6.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Leonard, Lewis, Lockett, Lutz, McNees, Martin, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shoemaker, Smith (B), Smith (J), Starkey, Taylor, Turnham, Venable, Waggoner, Weeks, Whatley, Williams, Wyatt and Younce.

—75

Nays:

Mr. Speaker, Crawford, Lee, McMillan, McNair and Sasser.

—6

Which was a majority of the whole number elected to the House.

S. J. R. 363 RESUMED

On motion of Mr. White, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 363, the title of which was previously set out in a Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 864. To amend Section 1 of Act No. 354, H. 603 of the Regular Session of 1963 (Acts 1963, p. 854) which provides an expense allowance for the mayor and city commissioners of cities having populations of not less than 50,000 nor more than 60,000 according to the 1970 or any subsequent federal decennial census, so as to raise such allowances.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Littleton, McDonald (S), and Waldrop.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Rich, the House acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 864.

And the Speaker named as a Committee on Conference on the part of the House, Messrs. Ford, Taylor and Rich.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 327. To define an habitual criminal; providing procedure to determine who is an habitual criminal; providing for the indictment, trial, imprisonment, probation, parole and punishment of habitual criminals; prescribing rules of evidence for the trial of habitual criminals; prescribing the powers and duties of courts and juries in the trials of habitual criminals; prescribing the procedure and the powers and duties of courts in appeals from convictions and sentences of habitual criminals; and prescribing the form of complaints, charges, and indictment against habitual criminals.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. St. John, Fine and Perry.

McDOWELL LEE,
Secretary.

REPORT OF CONFERENCE COMMITTEE

We, the committee of conference appointed to reconcile the differences between the two houses concerning the Bill, Senate Substitute to House Bill 327, have met and considered the matter referred and beg leave to report as follows:

Amend Section 1 of the Senate Substitute to House Bill 327 by inserting on line 20 immediately after the word "felony" the following:

"and after such conviction has committed another felony"

JAMES G. SASSER
EARL F. HILLIARD

DOUGLAS C. JOHNSTONE

Conferees on the part of the House

FINIS ST. JOHN

JOE FINE

J. DUDLEY PERRY

Conferees on the part of the Senate

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Sasser, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 327, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Buskey, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Folmar, Goodwin, Gregg, Hall, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Lee, Lewis, Lutz, McCluskey, McNees, Martin, Mitchem, Moore (W), Pegues, Plaster, Roberts, Robertson, Sasser, Shoemaker, Smith (B), Starkey, Turnham, Venable, Waggoner, Weeks, Whatley, Williams, Wyatt, Younce and Ward.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 327. To define an habitual criminal; providing procedure to determine who is an habitual criminal; providing for the indictment, trial, imprisonment, probation, parole and punishment of habitual criminals; prescribing rules of evidence for the trial of habitual criminals; prescribing the powers and duties of courts and juries in the trials of habitual criminals; prescribing the procedure and the powers and duties of courts in appeals from convictions and sentences of habitual criminals; and prescribing the form of complaints, charges, and indictment against habitual criminals.

As thus amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Biddle, Buskey, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Gregg, Hall, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Lee, Leonard, Lewis, McCluskey, Martin, Merrill, Mitchem, Moore (O), Moore (W), Owens, Plaster, Quarles, Reed, Riddick, Roberts, Robertson, Sasser, Shoemaker, Smith (B), Smith (C), Starkey, Trammell, Turnham, Venable, Waggoner, Weeks, White, Williams, Wyatt and Younce.

—61

RESOLUTION

The following resolution was introduced:

By Messrs. Boles, Tucker, Hall, McNair, Armstrong, Hopping, Howard, Jackson (R), Jolly, Leonard, Andrews, Trammell, Moore (O), Falkenburg, White and Biddle:

H. R. 613. COMMENDING RICKY OSWALD FOR WINNING THE DECA NATIONAL SALES MANAGER MEETING COMPETITION.

WHEREAS, Ricky Oswald of Jefferson State Junior College won first place in the State of Alabama in DECA's Sales Manager Meeting contest; and

WHEREAS, this outstanding accomplishment qualified Ricky Oswald to participate in nationwide competition at the DECA National Convention held in Anaheim, California; and

WHEREAS, Ricky Oswald was one of over 1600 young persons between the ages of 20 and 35 attending the DECA Conference in Anaheim; and

WHEREAS, Ricky Oswald faced stiff competition from other contestants representing forty states in the Sales Manager Meeting event; and

WHEREAS, Ricky Oswald's great ability to think and speak extemporaneously was recognized by the judges and acknowledged by being given the first place award in the National Sales Manager Meeting contest; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That we do heartily commend Ricky Oswald for Winning the National Sales Manager Meeting Competition.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Ricky Oswald.

On motion of Mr. Boles, the rules were suspended and the resolution, H. R. 613, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 1046. Relating to Montgomery County; prescribing responsibility for and method of transferring of ownership of a motor vehicle; providing penalties for failure to comply with requirements thereof; authorizing the probate judge, or such other officer performing duties of the probate judge, to charge certain additional fees for completing application forms and for recording change of ownership.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Jones, Mitchell, and Powell.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Howard:

H. J. R. 614. COMMENDING MRS. DAISY B. DAVIS FOR 30 YEARS OF SERVICE AS A SCHOOL LUNCHROOM MANAGER.

WHEREAS, Mrs. Daisy B. Davis, the manager of the Jackson S. Abrams High School Lunch Program, has been recognized by the U. S. Department of Agriculture, the State Department of Education, and the American School Food Service Association for 30 years of dedicated service to the youth of America as a school lunchroom manager; and

WHEREAS, Mrs. Davis began service as a school lunchroom manager at the Robertstown Elementary School in 1946, the first year of the National School Lunch Program; and

WHEREAS, at that time Mrs. Davis prepared lunches in a tiny kitchen cooking on a coal stove, serving an average of 75 lunches daily to the boys and girls of the school; and

WHEREAS, Mrs. Davis, a longtime resident of the City of Bessemer, is the mother of five children and the widow of a Baptist minister; and

WHEREAS, Mrs. Davis is a dedicated church member and has served as a church musician since she was 12 years old; and

WHEREAS, Mrs. Davis continues to perform a great service to her school and her community by preparing well-balanced meals for the boys and girls to help them develop strong bodies and alert minds; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body does commend Mrs. Daisy B. Davis for 30 years of service as a school lunchroom manager.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Davis.

On motion of Mr. Howard, the rules were suspended and the resolution, H. J. R. 614, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 1100. Relating to Bibb County; amending the title and Section 4 of Act No. 1381, H. 2294 of the 1971 Regular Session (Acts 1971, Vol. III, p. 2327), as amended, which act pertains to the governing body of the county, so as to reflect matters of compensation in the title and to increase the monthly expense allowance of certain commissioners, payable from the county treasury.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Shelby, Goodwin, and Baker.

McDOWELL LEE,
Secretary.

REGULAR SESSION
30th Day

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 619. To provide a local retirement supplement for circuit judges in the twenty-third judicial circuit; providing for a method whereby such judges may elect to come under the provisions of this act; providing for contributions by such judges to the general fund of the county constituting such judicial circuit; and repealing Act No. 736, H. 1821, Regular Session 1973 (Acts 1973, p. 1096), except as to judges who have retired prior to the effective date of this act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 794. To amend further Sections 1, 4, 6, 7, 9, 10, 11, 12, 14, 16, 23 and 28 and to repeal Section 29 of Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), relating to cosmetology in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census, so as to further provide for the service area, compensation and expenses of members of the board; and to further regulate the teaching and practice of cosmetology.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Shelby, Fine and McMillan.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 1312. To alter, rearrange and extend the boundary lines and corporate limits of any city in this state having a population from 2,847 nor more than 2,850 according to the 1970 or any subsequent federal decennial census.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

Amend said Bill, H. B. 1312, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 293. To place supervision of public water systems of the state; to empower the State Board of Health to promulgate State Primary and Secondary Drinking Water Regulations; to provide for variances and exemptions; to exercise emergency powers to prevent imminent hazards; to establish procedures for notification of users and concerned agencies of violations which could present health hazards; to require submission of samples and analysis thereof; to establish procedures for permit to furnish water; to provide for penalties and remedies; to provide for the administration of the Act; to punish violators; to allow appeal; and to establish the Safe Drinking Water Fund and appropriate from the said fund.

Also:

H. 220. To amend Title 51, Section 647, as amended, Code of Alabama 1940, which relates to the excise tax on gasoline used in aviation, so as to stabilize the rate of taxation of gasoline and other fuels used to propel aircraft.

Also:

H. 233. To remove all water works systems having 100 customers or less from regulation by the Public Service Commission.

Also:

H. 611. To amend Section 343 of Title 55, Code of Alabama 1940, Recompiled 1958, as amended, to provide for an increase in the awarding authority of the State Board of Adjustment.

Also:

H. 310. To amend further Act No. 533, Acts of Alabama, 1957 Regular Session, Page 750, entitled "An Act To Create a Board to be known as the State Board of Registration for Foresters as follows:

Also:

H. 311. To amend further Act No. 533, Acts of Alabama, 1957 Regular Session, Page 750, entitled "An Act To Create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the "Professional Foresters Fund," and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, Acts of Alabama, 1961 Special Session, page 2082; by Act No. 1051, Acts of Alabama, 1969 Regular Session page 1965; and by Act No. 1202, S. 107, 1973 Regular Session (Acts of 1973, p. 2020); so as to provide for an increase in the registration fee for a license and the annual renewal fee for licenses.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Plaster:

H. R. 615. MOURNING THE DEATH OF DWIGHT M. HARRIS, JR.

WHEREAS, the Alabama legislature has noted with a sense of deep regret the passing of Dwight M. Harris, Jr., of Autaugaville, Alabama; and

WHEREAS, Dwight M. Harris, Jr., was a soil scientist of the U. S. Department of Agriculture working in Houston, Autauga, Baldwin and Tuscaloosa Counties; and

WHEREAS, Dwight M. Harris, Jr., was a member of the South Alabama Chapter of the Soil Conservation Society of America for 15 years and was President of that organization in 1962; and was a member of the Autauga Farming Company for 4 years; and

WHEREAS, Dwight M. Harris, Jr., trained many men from other states sharing his knowledge to help advance others in life; and

WHEREAS, Dwight M. Harris, Jr., was a conservationist, farmer and above all a leader in his community; and

WHEREAS, Dwight M. Harris, Jr., graduated from Auburn University with a B. S. degree, served 4 years in the U. S. Navy, was a member of the Baptist Church and the Lions Club; and

WHEREAS, Dwight M. Harris, Jr., was married to the former Joyce Duke and had three children, Michael, Summer and Mona; and

WHEREAS, this legislature would like to pay tribute to Dwight M. Harris, Jr., who made a significant and lasting contribution to the State of Alabama; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That we mourn the death of Dwight M. Harris, Jr., and express our deep and sincere sympathy to his widow and his family to whom copies of the resolution shall be sent.

On motion of Mr. Plaster, the rules were suspended and the resolution, H. R. 615, was adopted.

Also:

By Mr. Smith (J):

H. R. 616. COMMENDING MISS DAWN HALL, SENIOR SOUTH-EAST ALABAMA MISS SOUTHERN BELLE

WHEREAS, the Alabama House of Representative is pleased to note that, on Saturday, May 7, 1977, at Geneva County High School, Hartford, Alabama, Miss Dawn Hall was chosen Senior Southeast Alabama Miss Southern Belle from a field of contestants representing the entire Southeastern area of our state; Miss Hall also won the honor of competing further in the national pageant to be held June 10th in West Memphis, Arkansas; and

WHEREAS, the lovely 20-year old Southeast Alabama Miss Southern Belle, daughter of Mr. and Mrs. Luther Hall of Grangeburg, Alabama, is a graduate of Cottonwood High School in Houston County where she was a cheerleader and was selected as a yearbook beauty; and

WHEREAS, Miss Hall's further honors and titles include Junior High School Halloween Queen, Miss Cottonwood representative to the

1974 National Peanut Festival, Miss Congeniality in 1975 and Houston County Farm Bureau Queen, also in 1975; she presently is employed as a secretary in Dothan, Alabama; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do highly commend Miss Dawn Hall on her selection as Senior Southeast Alabama Miss Southern Belle, congratulate her on her many past honors, and direct that copies of this resolution be sent to her, and to her proud parents, that they may know of our warm praise and good wishes for her every future success.

On motion of Mr. Smith (J), the rules were suspended and the resolution, H. R. 616, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 843. To provide for the establishment, regulation of, and an appropriation for the financing of a scholarship loan and awards program for the study of dentistry; replacing Act No. 793 of Acts of Alabama, Regular Session, 1965.

Also:

H. 844. To provide for a scholarship program for medical education; to repeal Act No. 278 adopted at the First Special Session of 1965 of the Legislature of Alabama and making an appropriation therefor.

Also:

H. 401. To authorize and direct the Alabama Board of Nursing to promote continuing education for nurses, and to make an appropriation to the Alabama Board of Nursing to fund the development and production of continuing nursing education programs, seminars and workshops for nurses.

Also:

H. 285. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Also:

H. 287. To validate in certain cases elections held in municipalities or counties on the question of authorizing any special taxes under the Constitution.

Also:

H. 288. To validate, in certain cases, annexations heretofore held by municipalities.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Smith (J):

H. R. 617. COMMENDING SHAWNA CAMPBELL, MISS GENEVA COUNTY PRODUCE FESTIVAL QUEEN.

REGULAR SESSION
30th Day

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WHEREAS, the Alabama House of Representatives notes that Miss Shawna Campbell has been named Miss Geneva County Produce Festival Queen; the contest held May 14, 1977, at Slocomb High School, Slocomb Alabama, featured contestants from Southeast Alabama and, as Queen, Miss Campbell has won the right to reign over the Geneva County Produce Festival on June 18, 1977; and

WHEREAS, this lovely 16-year old blonde is the daughter of Mr. and Mrs. B. C. Campbell of Dothan, and is a sophomore at Slocomb High where she also is a cheerleader; and

WHEREAS, Miss Campbell further was voted Miss Junior High as an eighth grader and in the ninth grade was Miss Homecoming Queen at Ashford Academy; her hobbies include swimming, skiing and dancing and, upon completing her education, she would like to become an airline stewardess; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do heartily congratulate Miss Shawna Campbell on her selection as Miss Geneva County Produce Festival Queen, and direct that copies of this resolution be sent to her and to her proud parents that they may know of our warm praise and best wishes for every future success.

On motion of Mr. Smith (J), the rules were suspended and the resolution, H. R. 617, was adopted.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama
Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Bill Number 1217, without his signature and approval, and containing a suggested Executive Amendment.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 16th DAY OF MAY, 1977.

To the House of Representatives
State Capitol
Montgomery, Alabama
Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill 1217, without my signature and approval and with the following suggested Executive Amendment.

It is my suggestion that you amend House Bill 1217 by deleting Section 6 in its entirety, and inserting in lieu thereof the following:

Section 6. Each county convict, with the exception of those who were sentenced to hard labor, who is confined in any city or county jail in Marshall County, and who participates in any public works project shall be allowed an additional deduction from the term of his sentence for performing such work. Such good time deduction shall be ten (10) days for every thirty (30) days of work. Such extra good time

deductions may be forfeited for misconduct and may subsequently be restored in whole or in part by the sentencing judge. Such credit shall be in addition to any good time credit that is otherwise provided for by law for county prisoners. The sheriff shall keep a record of all work performed by each individual prisoner and such record shall be maintained in the prisoner's permanent file.

The adoption of the above suggested Executive Amendment will remove my objections to this Bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Mitchem, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1217, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Baker, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Cross, Falkenburg, Folmar, Gafford, Glass, Hall, Holley, Johnstone, Jolly, Kelley, Killian, Kinsey, Lutz, McCluskey, McNees, Martin, Merrill, Mitchem, Moore (W), Pegues, Quarles, Roberts, Robertson, Shelton, Smith (C), Smith (J), Smith (M), Tucker, Venable, Weeks, Whatley, White, Williams, Wyatt and Younce.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1217. Relating to Marshall County; providing that certain county prisoners and state prisoners who are housed in county or city jails of Marshall County may be used on a voluntary basis in the building, repairing and maintenance of public roads, buildings and other public properties; providing for the commutation of sentence of certain state and county convicts who participate in such public work projects and providing for an appropriation from the county general fund in order to effectuate the provisions of this act.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Falkenburg, Folmar, Gafford, Glass, Hall, Holley, Holmes (D), Howard, Johnstone, Jolly, Kelley, Killian, Kinsey, Lewis, McNees, Martin, Merrill, Mitchem, Quarles, Rich, Roberts, Robertson, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Venable, Weeks, Whatley, White, Williams, Wyatt and Younce.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order.

And the bill:

S. 638. To provide for a supplemental salary for the circuit judges of the Fourteenth Judicial Circuit, to be paid by the county comprising such circuit; and to fix the amount and method of payment thereof.

Which was amended on the twenty-ninth legislative day, was read a third time at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Hall, Harris, Holley, Holmes (D), Jolly, Kelley, Killian, Kinsey, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Rich, Roberts, Sasser, Shelton, Smith (B), Smith (M), Venable, Waggoner, Weeks, Whatley, White, Williams, Wyatt and Ward.

—59

RESOLUTION

The following resolution was introduced:

By Mr. Reed:

H. R. 618. COMMENDING REVEREND LAWRENCE F. HAYGOOD OF TUSKEGEE ON HIS DEDICATED SERVICE TO THE PEOPLE OF MACON COUNTY.

WHEREAS, Reverend Lawrence F. Haygood founded the Southern Vocational College at Tuskegee in 1969 to minister to the educational and vocational development of the community's disadvantaged youth of all races; and

WHEREAS, under his leadership as president of the college, its enrollment has leaped from less than fifty students in 1969 to approximately three hundred sixty students in 1977; and

WHEREAS, Reverend Haygood, as pastor of the Calvary Mount Missionary Church, is a community builder who serves his congregation with love and devotion; and

WHEREAS, Reverend Haygood has been enthusiastic in fulfilling his civic responsibilities as a member of the Macon County Commission; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do heartily commend Reverend Lawrence F. Haygood for his outstanding attributes of devotion to duty and service to the people of Macon County.

BE IT FURTHER RESOLVED, That the Clerk of the House of Representatives send a copy of this resolution to the Reverend Lawrence F. Haygood.

On motion of Mr. Reed, the rules were suspended and the resolution, H. R. 618, was adopted.

SPECIAL ORDER RESUMED

And the bill:

S. 759. Relating to all counties having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to abolish all supplements and expense allowances for certain county officials and to set the salaries of such officials.

Was read a third time at length and passed.

Yeas 38; Nays 0.

Yeas:

Messrs.: Andrews, Buskey, Campbell, Carothers, Cates, Coburn, Crawford, Crowe, Edwards, Falkenburg, Glass, Goodwin, Greer, Hall, Harris, Holmes (A), Holmes (D), Johnstone, Kennedy, Lewis, Lockett, Lutz, McCluskey, McCulley, McNees, Martin, Merrill, Moore (W), Naramore, Pegues, Roberts, Shelton, Shoemaker, Sonnier, Whatley, Williams, Wyatt and Ward.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 761. Relating to all counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the 1970 or any subsequent federal decennial census; providing further for the costs and charges in criminal cases in any court of such county.

Was read a third time at length and passed.

Yeas 37; Nays 0.

Yeas:

Messrs.: Andrews, Buskey, Callahan, Campbell, Carothers, Coburn, Cooper, Crawford, Crowe, Gafford, Goodwin, Greer, Hall, Harris, Holmes (A), Holmes (D), Johnstone, Lewis, Lockett, Lutz, McCluskey, McCulley, McNees, Martin, Merrill, Moore (W), Naramore, Pegues, Roberts, Sasser, Shelton, Shoemaker, Sonnier, Whatley, White, Williams and Wyatt.

—37

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 767. Relating to all counties having populations of not less than 23,900 nor more than 24,450 inhabitants according to the 1970 or any subsequent federal decennial census; empowering the governing body of any such county to authorize the sheriff of the county to employ cooks at the county jail; empowering the governing body of any such county to fix the compensation of such cooks; providing for the payment thereof out of the county general fund and giving this act retroactive effect.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.: Buskey, Campbell, Carothers, Coburn, Cooper, Crawford, Crowe, Goodwin, Greer, Hall, Holmes (A), Holmes (D), Johnstone, Lewis, Lockett, Lutz, McCluskey, McCulley, McNees, Martin, Merrill, Naramore, Pegues, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Williams Wyatt and Ward.

—31

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 811. Relating to Morgan County; to further regulate the compensation of members of the county board of registrars; to repeal any laws conflicting with this Act and specifically Act No. 668, S. 787, Regular Session 1969 (Acts 1969, p. 1203) and Act No. 580, S. 568, Regular Session 1976 (Acts 1976, p. 787).

Was read a third time at length and passed.

Yeas 36; Nays 0.

Yeas:

Mr. Speaker, Andrews, Buskey, Campbell, Carothers, Coburn, Crawford, Cross, Crowe, Drake, Goodwin, Greer, Harris, Holmes (A), Holmes (D), Johnstone, Lewis, Lockett, Lutz, McCluskey, McCulley, McNees, Martin, Merrill, Moore (W), Naramore, Pegues, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Trammell, Whatley, Williams and Wyatt.

—36

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 812. Relating to Morgan County, to amend further Act No. 520, H. 1154, Regular Session 1965 (Acts 1965, p. 762), relative to establishing a jury commission for the county so as to provide further for the composition of said commission, and to provide that the county govern-

ing body shall set the maximum salary limits of the clerk and other appointive members of the commission.

Was read a third time at length and passed.

Yeas 37; Nays 0.

Yeas:

Mr. Speaker, Andrews, Buskey, Campbell, Carothers, Carter, Coburn, Crawford, Crowe, Falkenburg, Goodwin, Greer, Hall, Harris, Holmes (A), Holmes (D), Johnstone, Lewis, Lockett, Lutz, McCluskey, McCulley, McNees, Martin, Merrill, Moore (W), Naramore, Pegues, Plaster, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Trammell, Williams and Wyatt.

—37

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill.

S. 813. To repeal Act No. 679, H. 1377, approved September 8, 1961, entitled "An Act to define, regulate and license barbers and barber colleges, and other like businesses in Morgan County; to create a Barbers Commission for said county; to fix the powers and duties of said Commission; and to provide a penalty for violation of the provisions hereof," as amended.

Was read a third time at length and passed.

Yeas 42; Nays 0.

Yeas:

Mr. Speaker, Andrews, Buskey, Campbell, Carothers, Carter, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Goodwin, Greer, Hall, Harris, Holmes (A), Holmes (D), Johnstone, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McNees, Martin, Moore (W), Naramore, Pegues, Plaster, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Trammell, Whatley, Williams, Wyatt and Ward.

—42

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 814. Relating to Morgan County; to provide additional compensation for poll workers and poll officials in said county.

Was read a third time at length and passed.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Goodwin,

Greer, Hall, Harris, Holmes (A), Holmes (D), Jackson (R), Johnstone, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, Martin, Moore (W), Naramore, Pegues, Plaster, Quarles, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Trammell, Williams, Wyatt and Ward.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 815. To repeal Act No. 928, H. 1765 of the Regular Session of 1971 (Acts 1971, p. 1687) entitled, "An Act To provide for expense allowances for tax assessors in certain counties classified on a population basis."

Was read a third time at length and passed.

Yeas 41; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Barron, Biddle, Boles, Brindley, Callahan, Cates, Clark, Coburn, Dial, Folmar, Ford, Gafford, Glass, Greer, Hall, Harris, Holmes (A), Holmes (D), Johnstone, Lewis, Lockett, Lutz, McCluskey, McNees, Martin, Naramore, Pegues, Plaster, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Whatley, Williams, Wyatt, Younce and Ward.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 816. To repeal Act No. 748, S. 604 of the Regular Session of 1975 (Acts 1975, p. 1515) entitled, "An Act Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the judge of the intermediate court."

Was read a third time at length and passed.

Yeas 37; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Buskey, Carothers, Carter, Crawford, Crowe, Edwards, Falkenburg, Gafford, Goodwin, Greer, Harris, Holmes (A), Holmes (D), Johnstone, Leonard, Lewis, Lockett, Lutz, McCluskey, McNees, Martin, Merrill, Naramore, Plaster, Roberts, Sasser, Shelton, Shoemaker, Starkey, Whatley, White, Williams, Younce and Ward.

—37

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 817. To repeal Act No. 926, H. 1763 of the Regular Session of 1971 (Acts 1971, p. 1686) entitled, "An Act To provide for expense allowances for Tax Collectors in certain counties classified on a population basis."

Was read a third time at length and passed.

Yeas 42; Nays 0.

Yeas:

Mr. Speaker, Andrews, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Drake, Falkenburg, Gafford, Greer, Hall, Harris, Hill, Hilliard, Holmes (A), Holmes (D), Johnstone, Lewis, Lockett, Lutz, McCluskey, McNees, Manley, Martin, Merrill, Naramore, Pegues, Plaster, Roberts, Sasser, Shelton, Shoemaker, Starkey, Whatley, White, Williams, Wyatt, Younce and Ward.

—42

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 818. To repeal Act No. 69, H. 70 of the Third Special Session of 1971 (Acts 1971, p. 4217) entitled, "An Act To provide for an additional eighteen hundred dollar (\$1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Drake, Falkenburg, Gafford, Glass, Greer, Hall, Harris, Hill, Hilliard, Holmes (A), Holmes (D), Johnstone, Lewis, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Naramore, Pegues, Plaster, Rich, Roberts, Sasser, Shelton, Shoemaker, Starkey, Whatley, White, Williams and Younce.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 819. To repeal Act No. 2400, H. 1767 of the Regular Session of 1971 (Acts 1971, p. 3831) entitled, "An Act To provide for expense allowances for the Judge of the Intermediate Court in certain counties classified on a population basis."

Was read a third time at length and passed.

Yeas 42; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Drake, Gafford, Glass, Greer, Hall, Harris, Hill, Holmes (A), Holmes (D), Jackson (F), Johnstone, Lewis, Lockett, Lutz, McCluskey, McNees, Manley, Martin, Merrill, Naramore, Pegues, Plaster, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Whatley, White, Williams, Wyatt and Younce.

—42

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 820. To repeal Act No. 682, S. 277 of the Regular Session of 1965 (Acts 1965, p. 1243) entitled, "An Act To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit."

Was read a third time at length and passed.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Falkenburg, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Holmes (A), Holmes (D), Jackson (F), Johnstone, Killian, Lewis, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Moore (O), Naramore, Pegues, Plaster, Reed, Roberts, Shelton, Shoemaker, Smith (B), Smith (C), Whatley, White and Williams.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 821. To repeal Act No. 71, H. 181 of the Second Special Session of 1965 (Acts 1965, p. 94) entitled, "An Act To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit."

Was read a third time at length and passed.

Yeas 39; Nays 0.

Yeas:

Mr. Speaker, Andrews, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Cross, Crowe, Falkenburg, Gafford, Greer, Hall, Harris, Hill, Holmes (A), Holmes (D), Jackson (F), Johnstone, Killian, Lewis,

Lockett, Lutz, McCluskey, Merrill, Moore (O), Naramore, Plaster, Reed, Rich, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Whatley, White and Williams.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 822. To repeal Act No. 104, S. 15 of the First Special Session of 1971 (Acts 1971, p. 186) entitled, "An Act Relating to all counties having populations of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; providing an expense allowance for the circuit clerk of such counties."

Was read a third time at length and passed.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Sdwards, Falkenburg, Gafford, Glass, Greer, Hall, Harris, Holmes (A), Jackson (F), Johnstone, Killian, Lewis, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Moore (O), Naramore, Pegues, Plaster, Rich, Roberts, Shelton, Shoemaker, Smith (B), Smith (C), Starkey, White, Williams, Wyatt and Younce.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 823. To amend Section 1 of Act No. 741, H. 1860 of the Regular Session of 1973 (Acts 1973, p. 1100) relating to expense allowances of the chairman and members of the governing bodies of county having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census, so as to raise such allowance.

Was taken up.

AMENDMENT OFFERED

Mr. Naramore offered the following amendment to the bill, S. 823:

In Section 1 on page 1, line 35 strike the figure "\$3,000" and insert in lieu thereof the figure:

\$4,000

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Biddle, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Cross, Crowe, Edwards, Falkenburg, Gafford,

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Glass, Greer, Hall, Harris, Holmes (A), Holmes (D), Jackson (F), Johnstone, Killian, Lewis, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Moore, (O), Moore (W), Naramore, Pegues, Plaster, Rich, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Starkey, Trammell, Whatley, White, Williams, Wyatt, Younce and Ward.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 823 as thus amended, was read a third time at length and passed.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Gafford, Glass, Greer, Hall, Harris, Hill, Holmes (A), Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Lewis, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Moore (O), Moore (W), Naramore, Pegues, Plaster, Reed, Rich, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Starkey, Trammell, Whatley, White, Williams, Wyatt, Younce and Ward.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 830. To amend Section 1 of Act No. 849, S. 189, 1975 Regular Session (Acts of 1975, p. 1691), entitled, "An Act Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint," so as to correct an error in the description of the property to be annexed.

Was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Messrs.: Andrews, Baker, Biddle, Brindley, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Gafford, Glass, Greer, Hall, Hill, Holmes (A), Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Lewis, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Reed, Rich, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Starkey, Trammell, Whatley, White, Williams, Wyatt, Younce and Ward.

—54

And the bill:

S. 869. To provide that the investigators of the district attorney of the thirtieth Judicial Circuit shall have arrest powers in Blount County.

Was read a third time at length and passed.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Brindley, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Drake, Gafford, Glass, Greer, Hall, Hilliard, Holmes (A), Holmes (D), Jackson (F), Johnstone, Jolly, Lewis, Lockett, Lutz, Martin, Merrill, Moore (O), Moore (W), Naramore, Pegues, Plaster, Rich, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Starkey, Trammell, White, Williams, Wyatt and Younce.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 876. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the county treasury.

Was read a third time at length and passed.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Brindley, Buskey, Campbell, Carothers, Carter, Cates, Cooper, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Glass, Greer, Hall, Holmes (A), Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Lewis, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Moore (O), Naramore, Pegues, Plaster, Reed, Rich, Roberts, Shelton, Shoemaker, Smith (B), Starkey, Trammell, Venable, White, Williams, Wyatt and Younce.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 877. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the probate judge.

Was read a third time at length and passed.

Yeas 46; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Brindley, Buskey, Carothers, Carter, Cates, Cooper, Crowe, Drake, Falkenburg, Folmar, Gafford, Glass, Greer, Hall, Holmes (A), Holmes (D), Jackson (F), Johnstone, Jolly, Kelley,

Lewis, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Moore (O), Naramore, Plaster, Rich, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Starkey, Trammell, Venable, White, Williams, Wyatt and Younce.

—46

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 863. Applying to every County of the State having a population of 500,000 or more according to the last or any subsequent Federal Census; to provide that no member, director, officer or trustee as a member of the Board of Trustees of any public corporation created in any such County pursuant to Act No. 46 of the Regular Session of the Legislature of Alabama of 1949, approved June 2, 1949 (Ala. Acts, 1949, pp. 68-73), as amended, (which appears as Tit. 22, Article V, Subdivision 1, Sections 204 (18)-204 (30), 1958 Code of Ala. Recomp.), and including a hospital, clinic, or nursing home owned or operated by the County, shall be personally liable for the debts, torts or undertakings of the corporation; nor shall the County, its governing body or the members of its governing body be liable for the debts, torts, or undertakings of the corporation.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.: Andrews, Boles, Carothers, Carter, Clark, Crawford, Cross, Crowe, Drake, Falkenburg, Gafford, Hall, Hilliard, Jackson (F), Johnstone, Jolly, Leonard, McCluskey, Manley, Martin, Merrill, Moore (O), Rich, Roberts, Shelton, Shoemaker, Smith (B), Trammell, Tucker, White and Williams.

—31

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

S. 836 TEMPORARILY POSTPONED

On motion of Mr. Gafford, the bill, S. 836, was temporarily postponed.

And the bill:

S. 878. Relating to cities having a population of 250,000 inhabitants or more according to the last or most recent federal decennial census; to authorize provision of hospitalization insurance for retired employees between the ages of 50 and 65, and to retired employees retired because of disability at any age up to age 65.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.: Andrews, Crawford, Falkenburg, Gafford, Goodwin, Hall, Hilliard, Holmes (A), Hopping, Jackson (F), Jackson (R), Johnstone,

Jolly, Kennedy, Leonard, Lutz, McCluskey, Merrill, Moore (O), Quarles, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Trammell and Williams.

—28

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 756. Relating to all counties having population of not less than 65,000 nor more than 68,000 according to the 1970 or any subsequent federal decennial census; to provide for the deposit of all pistol permit fees into a special fund to be known as the sheriff's law enforcement fund for the use of the sheriff.

Was read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Mr. Speaker, Baker, Campbell, Carothers, Crawford, Crowe, Dial, Falkenburg, Folmar, Gafford, Holmes (A), Holmes (D), Jackson (F), Johnstone, Lewis, Lockett, Lutz, McCluskey, McCulley, Martin, Merrill, Moore (O), Pegues, Quarles, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Trammell, Venable, White and Williams.

—35

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 833. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide certain expense allowances for the members of the county commission of such counties.

Was read a third time at length and passed.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Baker, Boles, Campbell, Carothers, Coburn, Crawford, Crowe, Dial, Falkenburg, Folmar, Gafford, Glass, Goodwin, Hilliard, Holmes (A), Holmes (D), Jackson (F), Johnstone, Jolly, Kinsey, Lewis, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Moore (O), Pegues, Rich, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Sonnier, Trammell, Venable, White, Williams and Ward.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 515. Relating to the 9th judicial circuit; to provide a salary increase for the secretaries of the circuit judges; and to make the provisions of this act retroactive to January 1, 1977.

Was taken up.

AMENDMENT OFFERED

Mr. Killian offered the following amendment No. 1 to the bill, S. 515:

Amend S. B. 515 by striking the Section numbered "1" and substituting in lieu thereof the following:

"Section 1. Each secretary to a circuit judge of the Fifth Judicial Circuit shall receive a salary increase in the amount of \$100 per month payable out of the County Treasury of each county comprising the circuit in the manner currently provided by law; said increase in salary to be paid by the respective counties as provided until October 1, 1977."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 33; Nays 1.

Yeas:

Mr. Speaker, Baker, Boles, Buskey, Campbell, Carothers, Clark, Cooper, Crawford, Crowe, Dial, Falkenburg, Folmar, Gafford, Holmes (A), Jackson (F), Johnstone, Killian, Lewis, Merrill, Moore (O), Rich, Roberts, Sasser, Shoemaker, Smith (B), Smith (J), Sonnier, Starkey, Trammell, Venable, White and Younce.

—33

Nay: Mr. Mitchem.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Mr. Killian offered the following amendment No. 2 to the bill, S. 515 as amended:

Amend S. B. 515 as amended, by adding a new Section 2 and by re-numbering subsequent sections accordingly:

Section 2. The register of the most populous county of the Circuit shall also be entitled to a salary increase of such amount as will bring her total annual salary up to the sum of \$10,500, said increase to be payable out of the county treasury of said county.

Also amend the title of the bill to reflect the inclusion of this amendment into the title of the bill.

MOTION TO TABLE LOST

The motion offered by Mr. Mitchem to table the amendment No. 2 offered by Mr. Killian to the bill, S. 515 as amended, was lost.

Yeas 1; Nays 2.

Yea: Mr. Mitchem.

—1

Nays: Messrs.: Killian and Rich.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

S. 515 TEMPORARILY POSTPONED

The bill, S. 515 as amended, was temporarily postponed being a contested bill.

H. 600 RESUMED

And the bill, H. 600 with Senate amendment, which previously was temporarily postponed, was taken up.

SENATE MESSAGE

On motion of Mr. Lutz, the motion offered by Mr. Folmar that the House concur in the Senate amendment to the bill, H. 600, was tabled.

Yeas 48; Nays 34.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Clark, Crawford, Crowe, Dial, Edwards, Falkenburg, Ford, Gafford, Glass, Gregg, Harris, Jackson (F), Kinsey, Lee, Leonard, Lockett, Lutz, McMillan, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Pegues, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Sonnier, Starkey, Waggoner, Weeks, Whatley, White, Wyatt and Ward.

—48

Nays:

Messrs.: Albright, Boles, Carter, Cates, Coburn, Cooper, Cross, Folmar, Goodwin, Greer, Hall, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Jackson (R), Kelley, Lewis, McCluskey, McNair, McNees, Moore (O), Plaster, Quarles, Rich, Sandusky, Smith (J), Taylor, Trammell, Tucker, Venable, Warren and Younce.

—34

On motion of Mr. Lutz, the House non-concurred in the Senate amendment to the bill, H. 600.

Yeas 46; Nays 41.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Campbell, Carothers, Clark, Crawford, Dial, Falkenburg, Gafford, Glass, Gregg, Harris, Howard, Jackson (F), Johnstone, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McMillan, Manley, Martin, Merrill, Moore (W), Morris, Owens, Pegues, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Starkey, Waggoner, Weeks, Whatley and White.

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Nays:

Messrs.: Albright, Boles, Buskey, Carter, Cates, Coburn, Cooper, Cross, Crowe, Drake, Folmar, Ford, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Jackson (R), Kelley, Lewis, McNair, McNeese, Mitchem, Moore (O), Naramore, Plaster, Quarles, Reed, Rich, Sandusky, Smith (J), Taylor, Trammell, Tucker, Venable, Wyatt and Younce.

—41

On motion of Mr. Lutz, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 600.

And the Speaker appointed as the Committee on Conference on the part of the House, Messrs. Folmar, Lutz and Pegues.

SPECIAL ORDER RESUMED

And the bill:

S. 166. To prescribe and establish monetary limits payable on claims and judgments based on tort liability and filed or obtained against governmental entities; to define terms.

Was taken up.

AMENDMENT OFFERED

Mr. Coburn offered the following amendment to the bill, S. 166:

Amend Section 2 by changing the figure \$100,000.00 to \$1,000,000.00 on lines 12 and 17 on page 2 and by changing the figure \$300,000.00 to \$3,000,000.00 on line 14 on page 2.

AMENDMENT TABLED

On motion of Mr. McCluskey, the amendment offered by Mr. Coburn to the bill, S. 166 was tabled.

Yeas 45; Nays 30.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Brindley, Campbell, Carothers, Cates, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Hines, Howard, Jackson (F), Kinsey, McCluskey, McMillan, McNeese, Manley, Martin, Moore (O), Owens, Pegues, Plaster, Rich, Riddick, Roberts, Sandusky, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Turnham, Venable, Waggoner, Whatley, Williams, Younce and Ward.

—45

Nays:

Messrs.: Albright, Andrews, Boles, Buskey, Carter, Clark, Coburn, Crowe, Ford, Glass, Goodwin, Greer, Hall, Hilliard, Holmes (A), Holmes (D), Hopping, Johnstone, Jolly, Lee, Lewis, Lockett, McNair, Merrill, Quarles, Robertson, Shelton, Taylor, Trammell and Wyatt.

—30

And the bill, S. 166 as thus amended, was read a third time at length and passed.

Yeas 64; Nays 15.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Campbell, Carothers, Carter, Cates, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Glass, Goodwin, Greer, Hall, Hill, Hines, Howard, Jackson (F), Jolly, Killian, Kinsey, Leonard, McCluskey, McMillan, McNees, Manley, Martin, Moore (O), Moore (W), Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Sandusky, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams, Wyatt, Younce and Ward.

—64

Nays:

Messrs.: Andrews, Clark, Hilliard, Holmes (A), Holmes (D), Johnstone, Lee, Lewis, McNair, Merrill, Quarles, Robertson, Shelton, Sonnier and Trammell.

—15

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 383. To provide that any person convicted of any act, or attempt to commit the act, of murder, rape, robbery, or assault with a deadly weapon directly and proximately resulting in serious physical injury to another shall serve the sentence imposed without parole; and to repeal conflicting statutes.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1136. Relating to all counties having a population of not less than 300,000 nor more than 600,000 according to the 1970 or any subsequent Federal decennial census; providing for the payment by the county of expense allowances for members of the county commission.

Also:

H. 1264. Relating to Shelby County; authorizing any bank situated within the County to open, establish, operate and maintain branch banks, branch offices or other places of business within the limits of said

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county; excepting a certain geographical area of Shelby County, Alabama, and any bank whose main office is located in such geographical area from the operation of this act.

Also:

H. 1009. Relating to cities with populations of more than three hundred thousand; allowing said cities to grant city and county ad valorem tax exemptions for up to fifteen years to owner-developers who build new commercial or industrial facilities on previously improved real property within the city limits of said cities; providing that such owner-developers receiving such exemptions shall, however, pay abatement property taxes assessed on not less than the highest value at which said property was assessed at anytime within five years prior to the grant of exemptions, and to provide for the procedures to be followed in the granting of such exemptions and in the determination of the amount of such abatement property taxes.

Also:

H. 1159. To provide and regulate a tax exemption for annexed territory of incorporated municipalities with populations of 2,000 or more in any county having a population of 600,000 or more according to the 1970 or any subsequent federal decennial census.

Also:

H. 531. Relating to Bibb County; to levy an excise and privilege tax on the severance of stone in said county; to provide for the collection, payment, and administration of such tax; to provide for the use of the proceeds of the tax for the maintenance, repair, and construction of improved roads in Bibb County.

Also:

H. 1054. Relating to Etowah County; to provide for a salary increase to be paid to all full-time, non-elective and non-appointive employees of Etowah County employed by the General Fund of said county.

Also:

H. 193. To amend the Title and Sections 2 and 3 of Act No. 79, H. 99, 1966 Special Session (Acts of 1966, p. 106), as amended, which act provides for the creation and maintenance of districts for fighting or preventing fires, and districts for the collection and disposal of garbage and districts for both of the aforesaid purposes so as to include medical rescue systems and services and park and recreational facilities.

Also:

H. 392. To provide that a person who has been twice convicted of a Class A felony, the second conviction resulting in a sentence of imprisonment for life, shall not be eligible for parole; and repealing conflicting laws.

H. 194. Proposing a further amendment to Amendment No. CCXXXIX of the Constitution of Alabama of 1901, providing for the creation of fire protection or garbage and trash disposal districts in Jefferson County so as to permit service districts for medical rescue systems and services and parks and recreational facilities.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 915. To authorize the district attorney of the Fifth Judicial Circuit of Alabama to appoint a chief deputy district attorney and to prescribe his duties; to fix his compensation and the manner of its payment.

Also:

H. 111. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1978, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Also:

H. 172. Relating to sick leave for teachers in city and county school systems and the Alabama Institute for Deaf and Blind. To amend Title 52, Sections 136 and 197, Code of Alabama, 1940, and Section 2 of Act 688, H. 452, 1951 Regular Session, to allow educators in city and county school systems and the Alabama Institute for Deaf and Blind to accumulate sick leave at the rate of one day for each month employed without limiting the number of days which may be accumulated.

Also:

H. 105. To amend Section 7 of Act No. 863, S. 441 of the 1975 Regular Session (Acts of 1975, p. 1701), which establishes the Alabama Firefighters Personnel Standards and Education Commission, so as to reduce the minimum age requirements for applicants for firefighting positions.

Also:

H. 449. To repeal Act No. 641, Regular Session 1976, which prohibited the transfer of assets to meet eligibility requirements for medicaid.

Also:

H. 266. To amend, revise and reenact Act No. 1226, 1975 Regular Session (Acts 1975, p. 2562) entitled "An Act Relating to the commitment of mentally ill persons to the custody of the State Department of Mental Health; prescribing the procedures for the involuntary commitment of mentally ill persons, prescribing the duties and responsibilities of all persons and departments concerned with the commitment of mentally ill persons; providing for the rights of persons sought to be committed as mentally ill; providing for the payment of costs of proceedings for the commitment of mentally ill persons; providing for appeal to circuit

court by persons committed as mentally ill; prescribing the jurisdiction of the probate court in regard to persons committed as mentally ill; providing for the transfer of mentally ill persons to facilities operated by the United States; and repealing conflicting laws," so as to further designate the institutions to which mentally ill persons may be committed, prescribing the procedures for involuntary commitment, prescribing the duties and responsibilities of all persons, agencies and departments concerning commitment of mentally ill persons, further protecting the rights of the persons sought to be committed and providing further for the appeal of commitment orders.

Also:

H. 3. To prohibit the abuse, neglect or exploitation of aged or disabled adults; to provide protective services for such persons; to require mandatory reporting by physicians and others of abuse, neglect or exploitation of such persons; to exempt persons reporting such abuse, neglect or exploitation from civil or criminal liability in connection with such reporting; to prescribe penalties for the abuse, neglect or exploitation of aged or disabled adults; and to provide penalties for failure of physicians and other practitioners of the healing arts to report such abuse, neglect or exploitation.

Also:

H. 587. To authorize the collection by certain state officers of blood or urine samples from the bodies of persons who die under certain circumstances; and to relieve the officer of any civil liability which might be incurred by such collection.

Also:

H. 99. Further regulating the trapping of fur-bearing animals in the State of Alabama; amending Title 8, Section 91, Code of Alabama, 1940 (Recompiled 1958) so as to increase the fees chargeable for the issuance of trapping licenses, prescribing additional regulations relative to traps and designating additional criminal offenses relative to trapping of fur-bearing animals; placing strict civil liability upon persons who cause injury or damages to persons or property as a result of trapping fur-bearing animals; further regulating the trapping of fur-bearing animals on any state highway right-of-ways; providing that traps shall be checked on a periodic basis; prohibiting the suspending of bait over steel traps; prescribing criminal penalties; and requires certain reports to be filed by trappers and fur dealers.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 576. HONORING PAMELA RHODES FOR WINNING THE STATE SPELLING BEE.

Also:

H. J. R. 577. COMMENDING MRS. AVOLINE LECROY, NEWLY ELECTED 2ND LIEUTENANT GOVERNOR, DISTRICT II, PILOT INTERNATIONAL.

Also:

H. J. R. 579. MOURNING THE TRAGIC DEATH OF JOHN H. NEWMAN, III.

Also:

H. J. R. 602. COMMENDING MRS. JO MARSHALL, SPONSOR OF PI PI CHAPTER OF PHI THETA KAPPA AND ADVISOR FOR THE ALABAMA REGION OF PHI THETA KAPPA.

H. J. R. 604. COMMENDING MISS JERI ANN BATY.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

And the bill:

S. 627. Providing for the establishment of a family court division of the circuit court of the seventh judicial circuit; prescribing the jurisdiction of such court; providing for the selection, appointment, qualifications, tenure, and compensation of its officers, and administrative and clerical personnel and providing for the transfer of cases from all other courts in such circuit having jurisdiction of juveniles and of domestic relations cases.

Was read a third time at length and passed.

Yeas 73; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Barron, Biddle, Brindley, Buskey, Callahan, Carothers, Carter, Cates, Coburn, Crawford, Cross, Dial, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Whatley, White, Williams, Wyatt and Ward.

—73

Nay: Mr. McNair.

—1

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S. 515 RESUMED

And the bill, S. 515 as amended and with pending amendment, which previously was temporarily postponed being a contested bill, was again taken up.

AMENDMENT ADOPTED

The question was then on the amendment No. 2 previously offered by Mr. Killian to the bill, S. 515 as amended, and the amendment was adopted.

Yeas 2; Nays 1.

Yeas: Messrs.: Killian and Rich. —2

Nay: Mr. Mitchem. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 515 as thus amended, was read a third time at length and passed.

Yeas 3; Nays 1.

Yeas: Messrs.: Killian, Rich and Shelton. —3

Nay: Mr. Mitchem. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 45. Providing further for the registration of voters, providing for additional times and places for the meeting of the boards of registrars and amending existing state laws so as to be consistent therewith.

Was taken up.

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Mr. Campbell to indefinitely postpone the bill, S. 45, was lost.

Yeas 36; Nays 41.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Barron, Campbell, Carothers, Carter, Cates, Crawford, Cross, Crowe, Dial, Edwards, Greer, Gregg, Hall, Holmes (D), Hopping, Jackson (F), Jolly, Kinsey, Leonard, Lockett, Lutz, Owens, Plaster, Riddick, Roberts, Sandusky, Shoemaker, Smith (J), Smith (M), Sonnier, Trammell, Venable and Williams.

Nays:

Mr. Speaker, Baker, Brindley, Clark, Coburn, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Hill, Hines, Holmes (A), Johnstone, Kennedy, Killian, Lee, Lewis, McCulley, McMillan, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Quarles, Reed, Rich, Sasser, Smith (C), Tucker, Turnham, Warren, Whatley, White, Wyatt, Younce and Ward.

—41

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 334. Relating to all counties having populations of not less than 115,000 nor more than 150,000 according to the 1970 or any subsequent federal decennial census; to authorize the county commission to provide clerical assistants to such county's legislative delegation.

Also:

S. 615. To repeal Section 8 of Act No. 1695, H. 2263, 1971 Regular Session (Acts of 1971, p. 2852), entitled, "An Act Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's Department in said counties."

Also:

S. 728. To provide for establishment and operation of an Alabama Music Hall of Fame Board, and to prescribe its powers and duties.

Also:

S. 841. Relating to any county having a population of not less than 95,000 nor more than 115,000 according to the 1970 or any subsequent federal decennial census; to set the county license commissioner's salary.

Also:

S. 619. To provide a local retirement supplement for circuit judges in the twenty-third judicial circuit; providing for a method whereby such judges may elect to come under the provisions of this act; providing for contributions by such judges to the general fund of the county constituting such judicial circuit; and repealing Act No. 736, H. 1821, Regular Session 1973 (Acts 1973, p. 1096), except as to judges who have retired prior to the effective date of this act.

Also:

S. J. R. 354. COMMEMORATING THE LATE C. W. CLAYBROOK OF LUVERNE, ALABAMA.

Also:

S. J. R. 356. MOURNING THE DEATH OF DR. WALTER B. JONES, FORMER STATE GEOLOGIST.

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Also:

S. J. R. 359. ON THE RETIREMENT OF MISS ALTA CHAPMAN PATTON.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 541. CREATING A WASHINGTON COUNTY GOVERNMENTAL STUDY COMMISSION TO STUDY ALL FACETS OF COUNTY GOVERNMENT AND TO MAKE RECOMMENDATIONS TO THE WASHINGTON LEGISLATIVE DELEGATION.

H. J. R. 614. COMMENDING MRS. DAISY B. DAVIS FOR 30 YEARS OF SERVICE AS A SCHOOL LUNCHROOM MANAGER.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 340. To amend further Section 6 of Act No. 48, H. 34, 5th Special Session 1950 (Acts 1950-1951, Vol. 1, p. 102) which relates to social security for certain officers and employees of the State and local governments of Alabama, so as to authorize the State Agency for Social Security to make further withdrawals for administration purposes.

Also:

H. 624. To permit the deduction by resident taxpayers from their adjusted gross income as computed for state income tax purposes of the total cost of installation for conversion from gas or electricity to wood as the primary energy source for heating their individual domestic homes.

Also:

H. 1332. To make an additional appropriation to the Office of the Attorney General from the General Fund.

McDOWELL LEE,
Secretary.

S. 45 RESUMED

Mr. Campbell offered the following amendment No. 1 to the bill,
S. 45:

Amend S. B. 45 in Section 1, page 1, line 28, delete the words and phrases "five consecutive days" and insert in lieu thereof the words and phrases: one full working day

MOTION TO TABLE LOST

The motion offered by Mr. Turnham to table the amendment No. 1 offered by Mr. Campbell to the bill, S. 45, was lost.

Yeas 31; Nays 44.

Yeas:

Messrs.: Albright, Baker, Biddle, Brindley, Clark, Coburn, Drake, Gafford, Glass, Goodwin, Hill, Holmes (A), Johnstone, Jolly, Lewis, Martin, Merrill, Moore (O), Naramore, Plaster, Rich, Roberts, Shelton, Smith (B), Smith (C), Turnham, Waggoner, Whatley, White, Wyatt and Younce.

—31

Nays:

Mr. Speaker, Andrews, Armstrong, Barron, Callahan, Campbell, Carothers, Carter, Cates, Crawford, Cross, Falkenburg, Folmar, Ford, Greer, Gregg, Hall, Hilliard, Hines, Holmes (D), Hopping, Jackson (F), Jackson (R), Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCulley, McMillan, Mitchem, Moore (W), Morris, Quarles, Riddick, Sandusky, Sasser, Shoemaker, Smith (J), Sonnier, Tammell, Venable and Williams.

—44

AMENDMENT ADOPTED

The question was then on the amendment No. 1 offered by Mr. Campbell to the bill, S. 45, and the amendment was adopted.

Yeas 50; Nays 34.

Yeas:

Messrs.: Albright, Andrews, Barron, Boles, Campbell, Carothers, Carter, Cates, Crawford, Cross, Folmar, Ford, Greer, Gregg, Hall, Harris, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Jolly, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McMillan, Merrill, Moore (W), Owens, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Sonnier, Trammell, Venable, Whatley, White and Williams.

—50

Nays:

Mr. Speaker, Armstrong, Baker, Biddle, Brindley, Clark, Coburn, Crowe, Drake, Falkenburg, Gafford, Glass, Goodwin, Hill, Holmes (A), Jackson (R), Johnstone, Kennedy, Lewis, McCulley, Martin, Mitchem, Moore (O), Morris, Naramore, Plaster, Reed, Smith (B), Turnham, Waggoner, Warren, Weeks, Wyatt and Younce.

—34

AMENDMENT OFFERED

Mr. Campbell offered the following amendment No. 2 to the bill, S. 45 as amended:

Amend S. B. 45, Section 1, page 1, line 23, between the words "county" and "shall" insert the following words, phrases and punctuation:

, except Sumter, Choctaw, and Tuscaloosa counties,

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Also amend S. B. 45 in the title, page 1, line 19, between the words "registrars" and "and" insert the words: of certain counties

AMENDMENT TABLED

On motion of Mr. Turnham, the amendment No. 2 offered by Mr. Campbell to the bill, S. 45 as amended, was tabled.

Yeas 47; Nays 28.

Yeas:

Mr. Speaker, Albright, Baker, Biddle, Brindley, Callahan, Coburn, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Hill, Hines, Holmes (A), Johnstone, Kelley, Kennedy, Lewis, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Quarles, Rich, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Tucker, Turnham, Venable, Waggoner, Warren, Weeks, White, Wyatt and Younce.

—47

Nays:

Messrs.: Andrews, Armstrong, Barron, Campbell, Cates, Crawford, Edwards, Greer, Hall, Hilliard, Holmes (D), Hopping, Jackson (F), Jackson (R), Jolly, Kinsey, Lee, Leonard, Lockett, Owens, Plaster, Riddick, Roberts, Robertson, Sandusky, Smith (J), Trammell and Williams.

—28

AMENDMENT OFFERED

Mr. Tucker offered the following amendment to the bill, S. 45 as amended:

Amend Senate Bill 45, page 24 of the House Calendar by deleting from the Synopsis the words "four year college, university or" in their entirety.

And further amend S. B. 45 by deleting one lines 23, of page one of the bill, the words "four year college, university or" after the word "each" and before the word "higher" thereof

And further amend S. B. 45 by deleting on line 34, page 1, the words "college, university or".

Further amend S. B. 45 by deleting on page two line 16 thereof the words "four year colleges, universities, and" in their entirety.

AMENDMENT TABLED

On motion of Mr. Turnham, the amendment offered by Mr. Tucker to the bill, S. 45 as amended, was tabled.

Yeas 53; Nays 21.

Yeas:

Mr. Speaker, Albright, Baker, Biddle, Carothers, Carter, Cates, Coburn, Crawford, Cross, Crowe, Dial, Falkenburg, Folmar, Gafford, Glass, Goodwin, Harris, Hill, Hines, Holmes (A), Holmes (D), Johnstone, Kinsey, Lewis, Lutz, McCulley, McMillan, Manley, Martin, Merrill, Moore (O), Moore (W), Pegues, Quarles, Rich, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Sonnier, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—53

Nays:

Messrs.: Andrews, Armstrong, Boles, Brindley, Buskey, Campbell, Edwards, Ford, Greer, Hall, Hilliard, Hopping, Kennedy, Leonard, Lockett, Plaster, Riddick, Robertson, Sandusky, Trammell and Tucker.

—21

AMENDMENT OFFERED

Mr. Campbell offered the following amendment No. 3 to the bill, S. 45 as amended:

Amend S. B. 45, Section 1, page 1, line 23, between the words "county" and "shall" insert the following words, phrases and punctuation:

, except Sumter, Choctaw counties

Also amend S. B. 45 in the title, page 1, line 19, between the words "registrars" and "and" insert the words: of certain counties

AMENDMENT TABLED

On motion of Mr. Turnham, the amendment No. 3 offered by Mr. Campbell to the bill, S. 45 as amended, was tabled.

Yeas 46; Nays 27.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Buskey, Coburn, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Glass, Goodwin, Harris, Hill, Hilliard, Hines, Holmes (A), Johnstone, Kelley, Kennedy, Lewis, McMillan, Martin, Mitchem, Pegues, Quarles, Rich, Roberts, Sasser, Shoemaker, Smith (B), Smith (C), Tucker, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—46

Nays:

Messrs.: Andrews, Campbell, Carothers, Cates, Dial, Edwards, Ford, Greer, Hall, Holmes (D), Hopping, Howard, Jackson (F), Jolly, Killian, Kinsey, Lee, Leonard, Lockett, Owens, Plaster, Riddick, Robertson, Smith (J), Trammell, Whatley and Ward.

—27

And the bill; S. 45 as thus amended, was read a third time at length and passed.

Yeas 52; Nays 31.

Yeas:

Mr. Speaker, Albright, Baker, Biddle, Brindley, Callahan, Carothers, Coburn, Drake, Falkenburg, Folmar, Gafford, Goodwin, Hall, Harris, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Johnstone, Kelley, Killian, Kinsey, Lewis, McCluskey, McCulley, McMillan, McNair, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Reed, Rich, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Turnham, Waggoner, Warren, Weeks, White, Wyatt and Younce.

—52

Nays:

Messrs.: Andrews, Barron, Campbell, Carter, Cates, Clark, Crawford, Cross, Dial, Edwards, Greer, Hopping, Jackson (F), Jolly, Lee, Leonard,

Lockett, Lutz, Moore (W), Plaster, Riddick, Roberts, Robertson, Sandusky, Smith (J), Sonnier, Trammell, Venable, Whatley, Williams and Ward.

—31

RESOLUTION

The following resolution was introduced:

By Messrs. Holmes (A) and Reed:

H. J. R. 619. COMMENDING THE NATIONAL ASSOCIATION OF BLACK MANUFACTURERS, INC., FOR HOLDING THEIR ANNUAL CONFERENCE IN TUSKEGEE, ALABAMA.

WHEREAS, the National Association of Black Manufacturers, Inc., is a national organization formed to promote various black manufacturers; and

WHEREAS, the National Association of Black Manufacturers, Inc., creates jobs and seeks to enhance productive industries; and

WHEREAS, the National Association of Black Manufacturers, Inc., has chosen to hold their annual conference May 17-21 in Tuskegee, Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily welcome and commend the National Association of Black Manufacturers, Inc. for holding their annual conference in Tuskegee, Alabama.

On motion of Mr. Holmes (A), the rules were suspended and the resolution, H. J. R. 619, was adopted.

RECESS

On motion of Mr. Manley and pursuant to the resolution, H. R. 612, the House recessed until 8:00 o'clock p.m.

HOUSE RECONVENED

The hour of 8:00 o'clock p.m., having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 483. To provide for and further regulate salaries payable to certain state officers.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has reconsidered the Bill:

H. 1134. To provide for a pay increase for sworn law enforcement officers with full peace officer authority in the service of the state, and to appropriate necessary funds.

And said Bill, H. B. 1134, was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of Yeas 28, Nays 0, which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 1134, together with the amendment proposed by His Excellency, the Governor, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the bill:

H. 327. To provide penalties for habitual felony offenders by progressively increasing the class of felony and resulting sentence following conviction of a previous felony conviction.

And said Bill, H. B. 327, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 600. To amend Section 185, subsections A, B, C, D, E, G, H, K, L, M, N and O of Section 186, Section 191, subsections D, E and F of Section 201, paragraph (1) of subsection A and paragraph (3) of subsection C, and paragraph (4) of subsection G of Section 204, subsection B of Section 205, Section 209, Section 224, Section 225, and Section 251, Title 26, Chapter 4, Code of Alabama 1940, as last amended, in order to expand coverage to employees of the State and its instrumentalities and to provide financing for the benefit costs for such employees, to extend coverage to employees of political subdivisions of this State, certain agricultural and domestic employers and public and non-profit primary and secondary schools, to accelerate the recovery of the Trust Fund to a more solvent condition by increasing the employers' rate of contribution effective July 1, 1977 by one-half percent (but not above the present 4.0% maximum rate) and effective January 1, 1978, to increase the taxable wage base from the current \$4,800 and the federally required \$6,000 to \$6,600.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Perloff, Clemon, and Powell.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 320. To amend further Section 12 of Act No. 1, H. 46, Regular Session 1945 (General Acts of Alabama 1945, p. 1) entitled "An act to conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount of two percent of the gross value, at the point of production, of oil and gas produced in Alabama", approved May 22, 1945, as amended, so as to allow spacing in the case of irregular sections which exceed 640 acres and so as to allow the Board to designate drilling or production units of up to 160 acres or one governmental quarter section in the case of oil and 640 acres or one governmental section in the case of gas plus ten percent tolerance so as to allow for irregular sections, and to further allow the Board, after notice and hearing, to establish units in oil and gas pools not to exceed 50 percent greater than 160 acres or one governmental quarter section in the case of oil and 640 acres or one governmental section in the case of gas, provided such action is justified by sufficient technical data indicating that such acreage or lands in excess of the aforesaid limitations is being drained or is in imminent danger of being drained and that the owners of interests in such said excess acreage or land cannot otherwise receive their just and equitable share of production from the pool.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Fine, Gilmore, Owen, Teague, and Mitchell.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 42. To authorize the incorporation with respect to the several counties in this state, of nonprofit public corporations for the purpose of acquiring, enlarging, improving, replacing, expanding, owning, leasing and disposing of properties for the purpose of promoting industry, developing trade, and furthering the use of agricultural, natural and human resources; to provide for the issuance by any such corporation of interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to authorize the refunding of any such bonds or securities; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases and mortgages to which such corporation is a party; to exempt such corporations from the laws of the state governing usury or prescribing interest rates; to exempt such corporations and all contracts made by it from the laws which provide for competitive bids in connection with certain contracts; to authorize certain conveyances to any such corporation by certain other public corporations and the assumption of the indebtedness thereof.

And said Bill, H. B. 42, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 619. COMMENDING THE NATIONAL ASSOCIATION OF BLACK MANUFACTURERS, INC., FOR HOLDING THEIR ANNUAL CONFERENCE IN TUSKEGEE, ALABAMA.

McDOWELL LEE,
Secretary.

MOTION TO RECONSIDER

Having voted on the prevailing side, Mr. Callahan offered the motion to reconsider the vote by which the resolution, H. R. 575, was adopted.

MOTION TO TABLE LOST

The motion offered by Mr. Carothers to table the motion to reconsider offered by Mr. Callahan, was lost.

Yeas 30; Nays 61.

Yeas:

Messrs.: Andrews, Barron, Campbell, Carothers, Coburn, Dial, Edwards, Gafford, Goodwin, Harris, Holmes (A), Holmes (D), Killian, Lee, Lockett, McNair, Moore (W), Naramore, Pegues, Reed, Riddick, Robertson, Sasser, Shoemaker, Smith (B), Smith (C), Tucker, Turnham, Waggoner and White.

—30

Nays:

Mr. Speaker, Albright, Baker, Boles, Brindley, Buskey, Callahan, Carter, Cates, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Ford, Glass, Greer, Hall, Hill, Hilliard, Hines, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Kinsey, Leonard, Lewis, Lutz, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Owens, Plaster, Quarles, Rich, Roberts, Sandusky, Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Venable, Warren, Weeks, Whatley, Younce and Ward.

—61

RESOLUTION

The following resolution was introduced:

By Messrs. Sonnier, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Taylor, Trammell, Tucker, Turnham, Venable,

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Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

H. R. 620. Commending Mr. Bill Bailey for providing the House of Representatives with an outstanding seafood dinner.

WHEREAS, Mr. Bill Bailey has once again provided the Alabama House of Representatives with an example of the culinary and gastronomical resources of Alabama's Gulf Coast; and

WHEREAS, Mr. Bill Bailey was able to provide such an outstanding spread of seafood without recourse to use of a kitchen; and

WHEREAS, Mr. Bill Bailey and his crew have traveled far from Mobile and worked long hours to provide the House with this excellent seafood dinner; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that Mr. Bill Bailey be congratulated for his fine work and be wished continued success in bringing the seafood delights of the Gulf Coast to other Alabamians.

On motion of Mr. Sonnier, the rules were suspended and the resolution, H. R. 620, was adopted.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 1073. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the 1970 or any subsequent federal decennial census; requiring a rotation system for wreckers; prohibiting speeding, reckless driving, on-the-scene solicitation by wrecker drivers; prohibiting wreckers from going to the scene of a wreck unless called; prohibiting troopers or any other law enforcement officer in such counties from displaying favoritism in calling wreckers; and establishing penalties.

And finds same correctly enrolled with Executive Amendment.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 843. To provide for the establishment, regulation of, and an appropriation for the financing of a scholarship loan and awards program

for the study of dentistry; replacing Act No. 793 of Acts of Alabama, Regular Session, 1965.

Also:

H. 844. To provide for a scholarship program for medical education; to repeal Act No. 278 adopted at the First Special Session of 1965 of the Legislature of Alabama and making an appropriation therefor.

Also:

H. 401. To authorize and direct the Alabama Board of Nursing to promote continuing education for nurses, and to make an appropriation to the Alabama Board of Nursing to fund the development and production of continuing nursing education programs, seminars and workshops for nurses.

Also:

H. 285. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Also:

H. 287. To validate in certain cases elections held in municipalities or counties on the question of authorizing any special taxes under the Constitution.

Also:

H. 288. To validate, in certain cases, annexations heretofore held by municipalities.

Also:

H. 310. To amend further Act No. 533, Acts of Alabama, 1957 Regular Session, Page 750, entitled "An Act To Create a Board to be known as the State Board of Registration for Foresters as follows:

Also:

H. 311. To amend further Act No. 533, Acts of Alabama, 1957 Regular Session, Page 750, entitled "An Act To Create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the "Professional Foresters Fund," and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, Acts of Alabama, 1961 Special Session, page 2082; by Act No. 1051, Acts of Alabama, 1969 Regular Session page 1965; and by Act No. 1202, S. 107, 1973 Regular Session (Acts of 1973, p. 2020); so as to provide for an increase in the registration fee for a license and the annual renewal fee for licenses.

Also:

H. 293. To place supervision of public water systems of the state; to empower the State Board of Health to promulgate State Primary and

Secondary Drinking Water Regulations; to provide for variances and exemptions; to exercise emergency powers to prevent imminent hazards; to establish procedures for notification of users and concerned agencies of violations which could present health hazards; to require submission of samples and analysis thereof; to establish procedures for permit to furnish water; to provide for penalties and remedies; to provide for the administration of the Act; to punish violators; to allow appeal; and to establish the Safe Drinking Water Fund and appropriate from the said fund.

Also:

H. 220. To amend Title 51, Section 647, as amended, Code of Alabama 1940, which relates to the excise tax on gasoline used in aviation, so as to stabilize the rate of taxation of gasoline and other fuels used to propel aircraft.

Also:

H. 233. To remove all water works systems having 100 customers or less from regulation by the Public Service Commission.

Also:

H. 611. To amend Section 343 of Title 55, Code of Alabama 1940, Recompiled 1958, as amended, to provide for an increase in the awarding authority of the State Board of Adjustment

Also:

H. 1381. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the 1970 or any subsequent federal decennial census; requiring the installation in each county of an improved system of indexing and recording documents affecting the title to property and recorded in the office of the judge of probate of such county, so as to provide for the microphotographing of instruments recorded as a part of said improved system; and so as to provide further details with respect to the said improved system, its installation and maintenance, and the duties of the judge of probate with respect thereto.

Also:

H. 1345. Relating to any judicial circuit composed of two counties, one county having a population of not less than 16,600 nor more than 16,950 inhabitants and one county having a population of not less than 22,575 nor more than 23,800 inhabitants according to the 1970 or any subsequent federal decennial census; creating the office of public defender and providing for the manner of appointment, the operation and financing of such office; providing such office for the representation and defense of persons accused of crime whom the courts declare indigent; establishing the Public Defender Commission; defining the authority, powers, duties and limitations of said commission and defender; providing for the vacancy of said office of defender; authorizing the taxing and collecting of certain additional court costs in certain courts within said counties for financing the operation of the office of Public Defender and representation of indigents, such revenues to be designated for the Public Defender's fund; continuing the opportunity for lawyers to be appointed to represent such indigents; requiring that any excess money in the Public Defender Fund be returned on a prorata basis to the counties and municipalities which funded the said office and its operation.

Also:

H. 806. To amend further Section 3 of Act No. 1945, H. 584, Regular Session 1971 (Acts 1971, p. 3143), as last amended, which provides for

and regulates the employment of county engineers so as to provide that the county engineer in certain counties need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of the county engineer's salary.

Also:

H. 424. To amend further Title 11, Section 98, Code of Alabama 1940, as amended by Section 16-154 of the Judicial Implementation Act, relating to juror's fees so as to provide that such fees shall be termed as "expense allowance" rather than "compensation."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 624. To permit the deduction by resident taxpayers from their adjusted gross income as computed for state income tax purposes of the total cost of installation for conversion from gas or electricity to wood as the primary energy source for heating their individual domestic homes.

Also:

H. 340. To amend further Section 6 of Act No. 48, H. 34, 5th Special Session 1950 (Acts 1950-1951, Vol. 1, p. 102) which relates to social security for certain officers and employees of the State and local governments of Alabama, so as to authorize the State Agency for Social Security to make further withdrawals for administration purposes.

Also:

H. 1332. To make an additional appropriation to the Office of the Attorney General from the General Fund.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 541. CREATING A WASHINGTON COUNTY GOVERNMENTAL STUDY COMMISSION TO STUDY ALL FACETS OF COUNTY GOVERNMENT AN TO MAKE RECOMMENDATIONS TO THE WASHINGTON LEGISLATIVE DELEGATION.

Also:

H. J. R. 614. COMMENDING MRS. DAISY B. DAVIS FOR 30 YEARS OF SERVICE AS A SCHOOL LUNCHROOM MANAGER.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 361. MOURNING THE DEATH OF LOIS JEWEL MINTZ NORTON.

Also:

S. J. R. 362. COMMENDING THE LADY VOLUNTEERS AT JOHN JONES ELEMENTARY SCHOOL, RAINBOW CITY, FOR THEIR WORK ON THE SAFETY PATROL, 1976-1977.

Also:

S. J. R. 363. COMMENDING MONROE J. BEASLEY, SR., FOR SIGNIFICANT CONTRIBUTIONS IN THE FIELD OF GOSPEL MUSIC.

Also:

S. J. R. 365. MOURNING THE DEATH OF CECIL FRIZZLE.

Also:

S. 166. To prescribe and establish monetary limits payable on claims and judgments based on tort liability and filed or obtained against governmental entities; to define terms.

Also:

S. 627. Providing for the establishment of a family court division of the circuit court of the seventh judicial circuit; prescribing the juris-

diction of such court; providing for the selection, appointment, qualifications, tenure, and compensation of its officers, and administrative and clerical personnel and providing for the transfer of cases from all other courts in such circuit having jurisdiction of juveniles and of domestic relations cases.

Also:

S. 759. Relating to all counties having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to abolish all supplements and expense allowances for certain county officials and to set the salaries of such officials.

Also:

S. 756. Relating to all counties having population of not less than 65,000 nor more than 68,000 according to the 1970 or any subsequent federal decennial census; to provide for the deposit of all pistol permit fees into a special fund to be known as the sheriff's law enforcement fund for the use of the sheriff.

Also:

S. 761. Relating to all counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the 1970 or any subsequent federal decennial census; providing further for the costs and charges in criminal cases in any court or such county.

Also:

S. 767. Relating to all counties having populations of not less than 23,900 nor more than 24,450 inhabitants according to the 1970 or any subsequent federal decennial census; empowering the governing body of any such county to authorize the sheriff of the county to employ cooks at the county jail; empowering the governing body of any such county to fix the compensation of such cooks; providing for the payment thereof out of the county general fund and giving this act retroactive effect.

Also:

S. 811. Relating to Morgan County; to further regulate the compensation of members of the county board of registrars; to repeal any laws conflicting with this Act and specifically Act No. 668, S. 787, Regular Session 1969 (Acts 1969, p. 1203) and Act No. 580, S. 568, Regular Session 1976 (Acts 1976, p. 787).

Also:

S. 812. Relating to Morgan County, to amend further Act No. 520, H. 1154, Regular Session 1965 (Acts 1965, p. 762), relative to establishing a jury commission for the county so as to provide further for the composition of said commission, and to provide that the county governing body shall set the maximum salary limits of the clerk and other appointive members of the commission.

Also:

S. 813. To repeal Act No. 679, H. 1377, approved September 8, 1961, entitled "An Act to define, regulate and license barbers and barber colleges, and other like businesses in Morgan County; to create a Barbers Commission for said county; to fix the powers and duties of said Commission; and to provide a penalty for violation of the provisions hereof," as amended.

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Also:

S. 814. Relating to Morgan County; to provide additional compensation for poll workers and poll officials in said county.

Also:

S. 815. To repeal Act No. 928, H. 1765 of the Regular Session of 1971 (Acts 1971, p. 1687) entitled, "An Act To provide for expense allowances for tax assessors in certain counties classified on a population basis."

Also:

S. 816. To repeal Act No. 748, S. 604 of the Regular Session of 1975 (Acts 1975, p. 1515) entitled, "An Act Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the judge of the intermediate court."

Also:

S. 817. To repeal Act No. 926, H. 1763 of the Regular Session of 1971 (Acts 1971, p. 1686) entitled, "An Act To provide for expense allowances for Tax Collectors in certain counties classified on a population basis."

Also:

S. 818. To repeal Act No. 69, H. 70 of the Third Special Session of 1971 (Acts 1971, p. 4217) entitled, "An Act To provide for an additional eighteen hundred dollar (\$1,800.00) expense allowance for the county treasurer of counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census."

S. 819. To repeal Act No. 2400, H. 1767 of the Regular Session of 1971 (Acts 1971, p. 3831) entitled, "An Act To provide for expense allowances for the Judge of the Intermediate Court in certain counties classified on a population basis."

Also:

S. 820. To repeal Act No. 682, S. 277 of the Regular Session of 1965 (Acts 1965, p. 1243) entitled, "An Act To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit."

Also:

S. 821. To repeal Act No. 71, H. 181 of the Second Special Session of 1965 (Acts 1965, p. 94) entitled, "An Act To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit."

Also:

S. 822. To repeal Act No. 104, S. 15 of the First Special Session of 1971 (Acts 1971, p. 186) entitled, "An Act Relating to all counties having populations of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; providing an expense allowance for the circuit clerk of such counties."

Also:

S. 830. To amend Section 1 of Act No. 849, S. 189, 1975 Regular Session (Acts of 1975, p. 1691), entitled, "An Act Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint," so as to correct an error in the description of the property to be annexed.

Also:

S. 833. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the 1970 or any subsequent federal decennial census; to provide certain expense allowances for the members of the county commission of such counties.

Also:

S. 863. Applying to every County of the State having a population of 500,000 or more according to the last or any subsequent Federal Census; to provide that no member, director, officer or trustee as a member of the Board of Trustees of any public corporation created in any such County pursuant to Act No. 46 of the Regular Session of the Legislature of Alabama of 1949, approved June 2, 1949 (Ala. Acts, 1949, pp. 68-73), as amended, (which appears as Tit. 22, Article V, Subdivision 1, Sections 204(18) - 204(30), 1958 Code of Ala. Recomp.), and including a hospital, clinic, or nursing home owned or operated by the County, shall be personally liable for the debts, torts or undertakings of the corporation; nor shall the County, its governing body or the members of its governing body be liable for the debts, torts, or undertakings of the corporation.

Also:

S. 869. To provide that the investigators of the district attorney of the thirtieth Judicial Circuit shall have arrest powers in Blount County.

Also:

S. 876. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the county treasury.

Also:

S. 877. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census; to provide an additional expense allowance for the probate judge.

Also:

S. 878. Relating to cities having a population of 250,000 inhabitants or more according to the last or most recent federal decennial census; to authorize provision of hospitalization insurance for retired employees between the ages of 50 and 65, and to retired employees retired because of disability at any age up to age 65.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

H. R. 575 RESUMED

The question was then on the motion previously offered by Mr. Callahan to reconsider the vote by which the resolution, was adopted.

RESOLUTION TEMPORARILY POSTPONED

No objection being offered, the resolution, H. R. 575, was temporarily postponed.

REPORT OF CONFERENCE COMMITTEE

ON HOUSE BILL 482

We, the Committee on Conference appointed to reconcile the differences between the two Houses on House Bill 482 have met and have agreed on the bill. A copy of the Report of the Conference Committee is attached hereto.

Rep. Hugh D. Merrill
Rep. Richard S. Manley
Rep. Walter Owens
Senator L. D. Owen, Jr.
Senator Mayer W. Perloff
Senator Jerry A. Powell, Jr.

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1978.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1978 and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 7, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Improvements" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment Purchases" shall mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment Purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1978, and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama 1940), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts herein-after specified.

(b) Amounts shown herein under the columns "Federal & Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

	ASETF	FEDERAL & OTHER	TOTAL FUNDS
Section 3.			
A. STATE AGENCIES			
1. Council of the Arts and Humanities			
(a) Fine Arts Program			820,000
Source of Funds:			
(1) ASETF	300,000		
(2) Federal and Local Funds		520,000	
Total Council on the Arts and Humanities	300,000	520,000	820,000
2. Birmingham City Board of Education			
			325,000
Source of Funds:			
(1) ASETF	325,000		
Total Birmingham City Board of Education	325,000		325,000
(For reimbursement for construction of Louis Schlossfield School.)			
3. Debt Service			
(a) For the payment of principal and interest due issued by Auburn University (Alabama Poly-			

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technic Institute) pursuant to
Constitutional Amendment No.
CXX 309,880

(b) For the payment of principal
and interest due on bonds issued
by the University of Alabama
pursuant to Constitutional
Amendment No. CXIX 309,880

(c) For the payment of principal
and interest due on bonds issued
by the University of Alabama Re-
search Institute pursuant to
Constitutional Amendment No.
CLVII 206,850

(d) Interest on Endowments:

For interest on University of Mon-
tevallo (Alabama College) En-
dowment, Estimated 42,733

For interest on Auburn University
Endowment 20,280

For interest on University of Ala-
bama Endowment 61,000

For interest on Grove Hill En-
dowment 600

For interest on Public School Fund
Endowment:

Interest on 16th Section lands, Esti-
mated 310,000

Interest on School Indemnity Lands,
Estimated 90,000

Interest on Valueless 16th Section
lands 5,825

Interest on Surplus Reve-
nue 26,764

Interest on James Wallace
Fund 275

Total 557,477

Source of Funds:

(1) ASETF 1,384,087

Total Debt Service 1,384,087

1,384,087

4. Board of Dental Scholarship
Awards

(a) Support of Other Educational
Activities Program

83,000

Source of Funds:

(1) ASETF	83,000	
Total Board of Dental Scholarship Awards	83,000	83,000

(To be expended under the provisions of Act No. 793, 1965 Regular Session.)

5. Department of Education

(a) Financial Assistance Program	173,247,059
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The proposed spending plan for the above is as follows:

Minimum Program Fund—Trainable Retarded Children 24,200

Vocational Ed. 36,665,609

(\$300,000 is to be used for Agribusiness Center.) \$947,500 is to be used for capital improvements for matching private enterprise funds to complete six area vocational schools on a 50-50 match basis, the Linden City Board of Education in Marengo County shall be reimbursed in the amount of \$143,317.25.

Education Program Management Budget System 70,000

Source of Funds:

(1) ASETF	36,759,809		
(2) Federal and Local Funds		136,487,250	
Total Financial Assistance Program	36,759,809	136,487,250	173,247,059

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with a formula adopted by the State Board of Education. The total allocation of vocational teacher units to each county and city board of education shall be at least equal to the number received by the respective board during the preceding fiscal year, providing facilities and enrollment meet minimum state standards.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula.

Any funds appropriated hereinabove in excess of the preceding fiscal year's distribution shall be allocated by priorities to those boards that have less than their entitlement.

Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institutions for

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contractual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1978, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teacher holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum, Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional prorata salary increase.

(b) Instructional Technical Assistance Program	6,484,008
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The proposed spending plan for the above is as follows:

Civil Defense	22,000
Drug Education	181,500
Operation & Maintenance of Department	425,071
Right-to-Read	75,000
Career Education	100,000
Kindergarten Adm.	50,000
Minimum Program-Trainable Retarded Children	452,443
National Defense	363,000
Vocational Education	1,143,145
Alabama Learning Resources Center	60,000

Source of Funds:

(1) ASETF	2,872,159		
(2) Federal and Local Funds		3,611,849	
Total Instructional Technical Assistance Program	2,872,159	3,611,849	6,484,008

(The appropriation for Minimum Program-Trainable Retarded Children is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)

(c) Local Agency Support Program	9,382,277
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The proposed spending plan for the above is as follows:

Coordination of In-School Television	115,637
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Driver Education, School Bus
Driver Training and Vehicle
Safety Inspect. 337,535

Operation & Maintenance of De-
partment 254,752

Testing 206,000

Developing, Printing & Publish-
ing Legal & Policy man-
uals 20,000

Free Textbooks 7,602,500

Plans & Surveys 81,950

Source of Funds:

(1) ASETF	8,618,374		
(2) Federal and Local Funds		763,903	
Total Local Agency Support Pro- gram	8,618,374	763,903	9,382,277
(d) Regulation Program			721,540

The proposed spending plan for the
above is as follows:

Operation & Maintenance of De-
partment 223,752

For payment of expenses of Ala-
bama attending Compact for Ed-
ucation meetings (subject to prior
approval of the Superintendent
of Education 5,000

Teacher Certification &
Accred 220,000

Source of Funds:

(1) ASETF	448,752		
(2) Federal and Local Funds		272,788	
Total Regulation Program	448,752	272,788	721,540
(e) Administrative Services Pro- gram			5,684,194

The proposed spending plan for the
above is as follows:

Compact for Education --- 15,750

Operation & Maintenance of De-
partment 1,049,630

Telephone Revolving
Fund 500,000

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Source of Funds:

(1) ASETF	1,565,380		
(2) Federal and Local Funds		<u>4,118,814</u>	
Total Administrative Services Program	1,565,380	4,118,814	5,684,194
(f) Adult Basic Education Program			3,500,873

The proposed spending plan for the above is as follows:

Adult Basic Education	1,700,000
Community Education	25,000
Operation & Maintenance of Department	4,255

Source of Funds:

(1) ASETF	1,729,255		
(2) Federal and Local Funds		<u>1,771,618</u>	
Total Adult Basic Education Program	1,729,255	1,771,618	3,500,873
(g) Continuing Education Program			1,119,703

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department	4,618
Administrative of Private School Act	45,000

Source of Funds:

(1) ASETF	49,618		
(2) Federal and Local Funds		<u>1,070,085</u>	
Total Continuing Educ. Prog.	49,618	1,070,085	1,119,703
(h) Administration of Post-Secondary Voc.-Technical Educ. Program			5,457

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department	5,457
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Source of Funds:

(1) ASETF	<u>5,457</u>		
Total Adm. of Post-Secondary Voc. Tec. Ed. Program	5,457		5,457

(i) Administration of Junior College School System Program		4,093
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The proposed spending plan for the above is as follows:

Operation & Maintenance of Department	4,093
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Source of Funds:

(1) ASETF	4,093
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Total Adm. of Jr. Coll. School System Program	4,093	4,093
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(j) Rehabilitation Services Program		30,622,595
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Source of Funds:

(1) ASETF	6,270,000
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(2) Federal and Local Funds	24,352,595
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Total Rehabilitation Services Program	6,270,000	24,352,595	30,622,595
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Of the amount appropriated in section (j) above, \$30,000 shall be expended to conduct an independent study of services to the blind in Alabama

(k) Hemophilia Program	300,000
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Source of Funds:

(1) ASETF	300,000
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Total Hemophilia Program	300,000	300,000
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(As provided for under Act 1181, 1975 Regular Session.)

(1) Homebound Program	2,900,000
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Source of Funds:

(1) ASETF	2,900,000
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Total Homebound Program	2,900,000	2,900,000
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(The above appropriation is to be expended in accordance with Act No. 109, Third Special, 1975, approved May 1, 1975.)

(m) Disability Determination for Social Security Program	6,212,332
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Source of Funds:

(1) Federal and Local Funds	6,212,332
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Total Disability Determination for Social Security Program	6,212,332	6,212,332
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(n) Crippled Children Services Program	4,909,577
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Source of Funds:

(1) ASETF	3,617,900		
(2) Federal and Local Funds		1,291,677	
Total Crippled Children Services Program	3,617,900	1,291,677	4,909,577

(o) Administration Program	163,833
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Source of Funds:

(1) Federal and Local Funds	163,833		
Total Administration Program		163,833	163,833

(p) Manpower Development and Employment	4,933,691
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The proposed spending plan for the above is as follows:

Operation & Maintenance of Department	14,143
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Comprehensive Employment & Training	440,000
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Source of Funds:

(1) ASETF	454,143		
(2) Federal and Local Funds		4,479,548	
Total Manpower Development and Employment Opportunities Prog.	454,143	4,479,548	4,933,691

(q) Planning and Coordination Services Prog.	160,000
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The proposed spending plan for the above is as follows:

Southern Regional Educ. Board	160,000
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Source of Funds:

(1) ASETF	160,000		
Total Planning & Coordination Services Program	160,000		160,000

(r) Support of State Universities Program	7,623
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The proposed spending plan for the above is as follows:

Educ. of Dependents of Blind Parents	7,623
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Source of Funds:

(1) ASETF	7,623	
Total Support of State Universities Program	7,623	7,623
(For reimbursement of every State Institution of Higher Learning, College, University, or State Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session.)		

TOTAL DEPARTMENT OF EDUCATION SOURCE OF FUNDS:

(1) ASETF	65,762,563		
(2) Federal and Local Funds		184,596,292	
Grand Total Department of Education	65,762,563	184,596,292	250,358,855

6. Alabama School of Fine Arts

(a) Fine Arts Program			640,200
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Source of Funds:

(1) ASETF	500,000		
(2) Federal & Local Funds		140,200	
Total Alabama School of Fine Arts	500,000	140,200	640,200

7. Alabama Firefighters' Personnel Standards and Educ. Commission

(a) Professional and Occupational Licensing & Regulation Program ..			45,000
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Source of Funds:

(1) ASETF	45,000		
Total Alabama Firefighters' Personnel Standards and Education Commission	45,000		45,000

8. Health Department

(a) Health Support Svcs. Prog.			500,000
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For immunization of pre-school children and students and for public school food sanitation.

Source of Funds:

(1) ASETF	500,000		
Total Health Department	500,000		500,000

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9. Commission on Higher Education

(a) Planning & Coordination Services Program	353,195
(b) Support of Other Educational Activities Program	1,172,393

Source of Funds:

(1) ASETF	297,000		
(2) ASETF-1202 Commission	280,000		
(3) Federal & Local Funds		948,588	
Total Comm. on Higher Ed.	577,000	948,588	1,525,588

(No salary of any employee of the Commission shall exceed the salary paid to the State Superintendent of Education.)

(To be expended in accordance with Act No. 14, 1969 Special Session.)

10. Alabama Industrial Development Training Inst.

(a) Industrial Training Program	1,714,320
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Source of Funds:

(1) ASETF	1,714,320	
Total Alabama Industrial Development Tng. Inst.	1,714,320	1,714,320

11. Junior College School System

(a) Junior College Equalization Account	4,000,000
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Source of Funds:

(1) ASETF	4,000,000	
Total Junior College Equalization Account	4,000,000	4,000,000

This appropriation to the Alabama State Board of Education for the Junior College Equalization Account to be used for operation and maintenance of the Junior Colleges listed below is to be distributed on the following formula:

\$200,000.00 to each Junior College. The remainder of the appropriation is to be allotted to each Junior College in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1976-77 by all the Junior Colleges listed in this appropriation. (Continuing education unit hours shall be excluded.)

(The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop

State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.

(b) Academic Instruction and Institutional Support Program 57,873,586

Source of Funds:

(1) ASETF	29,050,000		
(2) Federal & Local Funds		6,081,276	
(3) State Funds		<u>22,742,310</u>	
Total Academic Instruction and Institutional Support Program	29,050,000	28,823,586	57,873,586

For operation and maintenance of the Junior Colleges listed below to be distributed on a formula adopted by the State Board of Education.

(The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.)

Of the above appropriations contained herein in Section 3, paragraph A-11 not more than the sum of \$246,147 may be used by the State Board of Education for administration of the state junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1978, the following salary increases, in addition to salary now received and all salary increments due, shall be granted by ranks to all full-time professional staff: Rank I not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank III not less than one thousand four hundred seventy-five dollars (\$1,475) per annum; Rank IV not less than one thousand five hundred ninety dollars (\$1,590) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increases.

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12. Alabama Law Institute

(a) Support of Other Educational Activities Program	189,000
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Source of Funds:

(1) ASETF	189,000
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Total Alabama Law Institute	189,000	189,000
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13. Public Library Service

(a) Public Library Services Program	3,032,066
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Source of Funds:

(1) ASETF	1,656,000
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(2) ASETF for equipment purchases for physically handicapped and blind	144,000
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(3) ASETF for operation of facility	200,000
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(4) Federal and Local Funds	1,032,066	
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Total Public Library Ser.	2,000,000	1,032,066	3,032,066
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(Items 3 under Source of Funds shall be used only after the facility has been completed and only \$50,000 per quarter may be used.)

14. Marine Environmental Sciences Consortium

(a) Support of other Educational Activities Program	710,000
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Source of Funds:

(1) ASETF	325,000
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(2) Federal and Local Funds	238,000
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(3) University of Alabama	147,000
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Total Marine Environmental Sciences Consortium	325,000	385,000	710,000
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15. Medical Scholarships Board

(a) Support of other Educational Activities Program	135,000
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Source of Funds:

(1) ASETF	135,000
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Total Medical Scholarship Board	135,000	135,000
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(To be expended under the provisions of Act No. 278, 1965 1st Special Session)

16. Minimum Program

(a) Financial Assistance Program .. 480,360,967

Source of Funds:

(1) ASETF	458,484,482		
(2) Public School Fund		17,200,000	
(3) Local Effort		4,676,485	
Total Minimum Program Fund	458,484,482	21,876,485	480,360,967
(aa) To be distributed by the State Board of Education for:			
Local Boards	429,724,253		
Board of Adjustment Awards	150,000		
Teachers Sick Leave ...	3,287,188		
Teachers Personal Leave	1,157,496		
Hospital-Medical Insurance Assistance	8,939,806		
Instructional Supplies & Materials	9,925,739		
Maintenance	4,500,000		
Sick Leave for Support Personnel	800,000		

The Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax Amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(bb) The total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-systems, and/or state-wide programs for exceptional children. In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1976-77, six hundred fifty

(650) are provided for the reduction of the class size in grades 1-6. The Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1976-77 school year.

In addition to the three thousand two hundred fifty (3250) special education units now provided through the minimum program, there is hereby provided the sum of fifteen million dollars (\$15,000,000) to be used in the area of special education. The funds to provide for this program are included under the programmatic appropriations of Section 3, 16, (aa) Minimum Program and the wording in this section (bb) is for explanation purposes only and is not intended to be construed to be a second funding. These funds shall be allocated by the State Board of Education on a formula developed by the State Superintendent of Education and his staff. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must be approved by the State Superintendent of Education before such funds are disbursed. The proposals may include, but not limited to, any or all of the following: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be determined by the State Superintendent of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Superintendent, through his staff, shall monitor programs to assure that the purposes for which these funds are provided are carried out on the approved plan.

The five hundred (500) teacher units provided in Act No. 197, Regular Session, 1976, Section, 3, H, are herewith transferred to the Minimum Program and shall be allocated according to a formula provided by the State Department of Education. The same benefits provided for other minimum program units shall be provided for the driver education units.

Two hundred (200) kindergarten units are herewith provided the phasing in of the kindergarten program during the specified fiscal year shall be dispersed with the kindergarten teacher units being at least equal to the amount received by the respective local school boards during the preceeding fiscal year. In addition thereto, all local school boards shall receive all kindergarten teacher units now supplied by federal funds if these programs continue to be federally funded.

(cc) Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is hereinabove appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III, and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. Each local county and city board of education shall allocate to the schools in their respective

systems an amount as set forth hereinabove for each teacher unit in such school provided from funds from the State. The faculty and principal of each school shall cooperatively develop and recommend to the superintendent the amount to be allocated to each teacher for the operation of the instructional program within the school. The local school board shall approve or disapprove requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In non-required courses local school boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided however, such fees shall be waived for students who cannot afford to pay the fees. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) It is provided that in addition to all units earned by the local school system under the Minimum Program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expended from local funds for teachers during the school year 1976-77 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to the State Board of Education the implementation of the above provisions by December 31, 1977, and to the Legislature by the first legislative day of the next regular session.

(ee) The appropriation hereinabove made to the Minimum Program provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher earned under the Minimum Program formula to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1978.

(ff) Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance. No portion of the funds herein appropriated for employee hospital-medical insurance may be used to pay premiums for any group insurance policy that is available only to members of any private organization.

Provided further that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide

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hospital-medical insurance assistance to those qualified professional employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(gg) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$1,695.57 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$72.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in sub-section (a) Local Boards shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$26,066,490.

The appropriation hereinabove set out for the fiscal year 1977-78 is based on 31,057 teacher units.

It is provided in the event there are more than 31,057 earned teacher units for the fiscal year 1977-78, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided that in the event that there be less earned teacher units than those set out above than the amount that would have been necessary to pay for these earned teacher units shall not be allotted or paid. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

(hh) It is provided that from the appropriation hereinabove made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1978, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum. These increases are for teachers with one hundred eighty-day contracts. Additional pro rata salary increases shall be

granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificate. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

(ii) In addition to local salary now received and all local increments due for the 1977-78 school year, all full-time employees of city and county boards of education and all full-time employees in the schools under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars (\$500) per annum. All adult school bus drivers shall receive a salary increase of not less than five hundred dollars (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars (\$300) per annum and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

(jj) The \$800,000 appropriated in (aa) is to provide sick leave for all bus drivers and full-time, non-certificated personnel employed by city and county boards of education and the schools under their jurisdiction and for the Alabama Institute for Deaf and Blind. The boards of control of city and county school systems and the Alabama Institute for Deaf and Blind shall provide for the payment for all bus drivers and full-time support personnel who are non-certificated educational employees for absences resulting from sickness, accidents or some other unavoidable cause which prevents such employee from discharging his/her duties, and provided, that any employee not utilizing or being paid for sick leave in any one year may accumulate days at the rate of one day per month for the months employed and carry over the unutilized days to the next consecutive year or years of employment for the same school system or institution or for any other school system or institution in which the employee may later be employed until he/she shall accumulate a maximum of ninety days. The reasons for granting sick leave shall be the same as those for teachers. No reimbursement shall be paid to any local school board or to the Board of the Alabama Institute for Deaf and Blind unless a substitute has been hired and paid in the absence of any employee who is entitled to sick leave as provided herein.

(kk) Of the amount appropriated in Section 3, A, 16, (aa) to the State Board of Education for distribution of local boards the sum of three million eight hundred seventy-three thousand five hundred dollars (\$3,873,500), is allocated for disbursement to local boards of education to provide and increase of five hundred dollars (\$500) to each lunchroom worker in the public schools of the state. This salary increase shall be paid to all lunchroom personnel in addition to the local salary now received and any local salary increments due for the 1977-78 school year.

17. Alabama Peace Officers Standards and Training Commission

(a) Professional and Occupational
Licensing and Regulation Program

80,000

Source of Funds:

(1) ASETF 80,000

Total Ala. Peace Officers Standards
& Training Com.

80,000

80,000

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(b) Certified Law Enforcement Academy Programs:	246,200
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Source of Funds:

(1) ASETF	246,200	
Jacksonville State Univ.	66,756	
University of Alabama	62,544	
James H. Faulkner Jr. Col. ..	60,200	
Troy State Univ. (Mtgy.) ..	<u>56,700</u>	
Total Certified Law Enforcement Academy Prog.	246,200	246,200

Total Alabama Peace Officers Standards and Training Comm.	326,200	326,200
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18. Commission on Physical Fitness

(a) Advisory Services Program	70,000
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(1) ASETF	70,000	
Total Commission on Physical Fitness	<u>70,000</u>	70,000

19. Post-Secondary Vocational-Technical Education System

(a) Instruction and Institutional Support Program	40,358,456
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Source of Funds:

(1) ASETF	25,951,521	
(2) Federal and Local Funds	<u>14,406,935</u>	
Total Post-Secondary Vocational-Technical Educ. System	25,951,521	14,406,935 40,358,456

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education.

(The above appropriation is to be distributed to the following Vocational Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College—Technical Branch; (7) Carver State Technical Trade School; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Vocational School; (12) Theodore A. Lawson State Community College—Technical Branch; (13) Douglas MacArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnellely State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College;

(21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) Tuscaloosa State Technical College; (25) Walker County State Trade School; (26) George Corley Wallace State Community College-Technical Branch (Selma); (27) George C. Wallace State Community College—Technical Branch (Dothan); (28) George C. Wallace State Technical Community College (Hanceville).

Of the above appropriations contained herein in Section 3, paragraph 19 not more than the sum of \$235,200.00 may be used by the State Board of Education for administration of the Vocational Technical School Program.

Of the amount appropriated above for the fiscal year ending September 30, 1978, the following salary increases shall be granted by ranks in addition to salary now received and all salary increments due to all full-time professional staff: Class B not less than one thousand five hundred seven dollars (\$1,507) per annum; and Class A not less than one thousand six hundred sixty dollars (\$1,660) per annum for twelve months employment. The salary schedule for 1977-78 for vocational-technical colleges shall be adjusted by the State Board of Education to make it equal to the salary schedule of junior colleges for 1977-78 for appropriate ranks of certificates. Personnel at vocational-technical colleges shall receive equity adjustments in their salary based on the new salary schedule in addition to the salary increases provided hereinabove.

20. Social Security

(a) For State's share of Social Security		41,600,000
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Source of Funds:

(1) ASETF	41,600,000	
Total Social Security	41,600,000	41,600,000

21. Alabama Education Study Commission

(a) Advisory Services Program		200,000
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Source of Funds:

(1) ASETF	200,000	
Total Ala. Educ. Study Comm.	200,000	200,000

(To be used for educational studies in accordance with Act No. 15, 1969 Special Session.)

22. Teachers' Retirement System of Alabama

(a) Retirement Systems Program ..		1,077,959,278
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Source of Funds:

(1) ASETF-Teachers' Retirement System	122,239,600	
(2) ASETF-Teachers' Special Pension Fund	3,131,000	

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(3) State and Local Funds		<u>952,588,678</u>	
Total Retirement Systems Program	125,370,600	952,588,678	1,077,959,278

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund. Provided that any increase in the above appropriations shall be made only after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

23. State Tenure Commission

(a) Regulation Program			7,500
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Source of Funds:

(1) ASETF	<u>7,500</u>		
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Total State Tenure Comm.	7,500		7,500
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24. Educational TV Commission

(a) Educational TV Services Program			2,904,655
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Source of Funds:

(1) ASETF	<u>2,005,500</u>		
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(2) Federal and Local Funds		<u>899,155</u>	
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Total Education TV Comm.	2,005,500	899,155	2,904,655
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25. Veterans Education Benefits

(a) Administration of Veterans Affairs Program			975,000
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Source of Funds:

(1) ASETF	<u>975,000</u>		
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Total Veterans Educational Benefits	975,000		975,000
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For reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

26. Youth Services

(a) Youth Services Program 7,872,294

Source of Funds:

(1) ASETF 6,896,171

(2) Federal and Local Funds 976,123

Total Youth Services 6,896,171 976,123 7,872,294

(To be expended in accordance with
Act No. 816, 1973 Regular Ses-
sion.)

Section 4.

B. NON-STATE AGENCIES

1. American Legion Auxiliary
Scholarship Fund 3,000

Source of Funds:

(1) ASETF 3,000

Total American Legion Auxiliary
Scholarship Fund 3,000 3,000

2. Birmingham Symphony

(a) Fine Arts Program

Source of Funds:

(1) ASETF 95,000

Total Birmingham Symphony 95,000 95,000

3. Birmingham Training Center for
Brain Injured Children(a) Non-Institutional Treatment
and Care Program 29,100

Source of Funds:

(1) ASETF 29,100

Total Birmingham Training Center
for Brain Injured Children 29,100 29,1004. Montgomery Institute for Neu-
rological Development(a) Non-Institutional Treatment
and Care Program 25,000

Source of Funds:

(1) ASETF 25,000

Total Montgomery Institute for
Neurological development 25,000 25,000

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**5. Sylacauga Nurses Training
School**

(a) Support of Other Educational Activities Program	58,000
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Source of Funds:

(1) ASETF	58,000
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Total Sylacauga Nurses Training School	58,000	58,000
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(The above includes \$18,000 for
Nursing Scholarships.)

(To be expended in accordance with
Act No. 2393, 1971 Regular Ses-
sion.)

Section 5.

**COLLEGES, UNIVERSITIES AND
SCHOOLS**

**I. Board of Trustees of University
of Alabama**

A. The University

**1. Operations & Maintenance, Ex-
tension, Public Service & Re-
search:**

(a) Instruction	19,463,163
(b) Research	158,777
(c) Public Service	2,860,993
(d) Libraries	1,280,474
(e) Academic Support (excl. Libr.)	3,998,872
(f) Student Services	2,474,052
(g) Institutional Support	5,969,147
(h) Operation & Maintenance of Physical Plant	5,141,404
(i) Scholarships and Fellowships ..	591,194
(j) Capital Improvements	1,009,534
(k) Debt Service	292,240

Source of Funds:

(1) ASETF	29,296,193
(2) Other Sources	13,947,657

Total Operations & Maintenance, Extension, Public Service & Re- search	29,296,193	12,947,657	42,243,850
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2. Gadsden Cooperative Upper Division Program:

(a) Instruction		245,503
(b) Capital Improvements		15,000

Source of Funds:

(1) ASETF	175,626		
(2) Other Sources		84,877	
Total Gadsden Cooperative Upper Division Program	175,626	84,877	260,503

3. Vocational Teacher Training Education:

(a) Instruction		125,000
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Source of Funds:

(1) ASETF	125,000	
Total Vocational Teacher Training Education	125,000	125,000

4. Center for Emotionally Disturbed Children:

(a) Academic Support (excl. Libr.)		390,947
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Source of Funds:

(1) ASETF	390,947	
Total Center for Emotionally Disturbed Children	390,947	390,947

5. Capstone College of Nursing:

(a) Instruction		200,000
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Source of Funds:

(1) ASETF	200,000	
Total Capstone College of Nursing ..	200,000	200,000

6. Nursing Scholarships:

(a) Scholarships and Fellowships ..		18,000
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Source of Funds:

(1) ASETF	18,000	
Total Nursing Scholarships	18,000	18,000

7. Training of Clinical Psychologists for Mental Health and Correctional Services:

(a) Instruction		64,107
(b) Academic Support (excl. Libr.)		112,607

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(c) Capital Improvements 7,650

Source of Funds

(1) ASETF 100,000

(2) Other Sources 84,364

Total Training of Clinical Psycholo-
gists for Mental Health and Cor-
rectional Services

100,000 84,364 184,364

8. Family Practice Center:

(a) Academic Support (excl. Libr.) 604,513

(b) Capital Improvements 7,871

Source of Funds:

(1) ASETF 612,384

Total Family Practice Center 612,384 612,384

9. Alabama Museum of Natural
History—Mound State Park and
Archaeological Office:

(a) Public Service 163,045

(b) Capital Improvements 6,000

Source of Funds:

(1) ASETF 132,545

(2) Other Sources 36,500

Total Alabama Museum of Natural
History-Mound State Park and
Archaeological

132,545 36,500 169,045

10. College of Community Health
Sciences:

(a) Libraries 101,797

(b) Academic Support (excl. Libr.) 432,334

(c) Instruction 1,139,248

(d) Capital Improvement 22,795

Source of Funds:

(1) ASETF 1,616,174

(2) Other Sources 80,000

Total College of Community Health
Sciences

1,616,174 80,000 1,696,174

11. Mineral Resources Institute:

(a) Instruction 191,381

(b) Capital Improvements		19,007
Source of Funds:		
(1) ASETF	210,388	
Total Mineral Resources Institute ..	210,388	210,388
12. Auxillary Enterprises:		
(a) Scholarships and Fellowships ..		522,828
(b) Capital Improvements		39,462
(c) Auxillary Enterprises		11,120,219
Source of Funds:		
(1) Other Sources	11,682,509	
Total Auxillary Enterprises	11,682,509	11,682,509
13. Restricted Funds:		
(a) Instruction		8,470,266
(b) Research		1,276,508
(c) Public Service		101,532
(d) Libraries		107,605
(e) Academic Support (excl. Libr.) ..		108,845
(f) Student Services		341,764
(g) Institutional Support		132,797
(h) Operation and Maintenance of Physical Plant		26,078
(i) Scholarships and Fellowships ..		2,807,322
(j) Capital Improvements		474,908
Source of Funds:		
(1) State Funds	3,728,063	
(2) Federal Funds	8,269,182	
(3) Local Funds	16,442	
(4) Other Sources	1,834,120	
Total Restricted Funds	13,847,807	13,847,807
14. Selma Family Practice		
(a) Capital Improvements		100,000
Source of Funds:		
(1) ASETF	100,000	
Total Selma Family Practice	100,000	100,000

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15. Hamilton Family Residency

(a) Family Residency Program **200,000**

Source of Funds:

(1) ASETF **200,000**

Total Hamilton Residency **200,000** **200,000**

**TOTAL UNIVERSITY OF ALA-
BAMA** **33,177,257** **39,763,714** **72,940,971**

**B. University of Alabama in Bir-
mingham**

1. School of Medicine:

(a) Instruction **11,313,845**

(b) Research **17,180,283**

(c) Public Service **6,704,500**

(d) Libraries **279,300**

(e) Academic Support **838,063**

(f) Student Services **352,370**

(g) Institutional Support **2,933,219**

(h) Operation & Maintenance of
Physical Plant **2,933,220**

(i) Debt Service **773,000**

Source of Funds:

(1) ASETF **12,920,000**

(2) State Funds **1,500,000**

(3) Federal Funds **23,000,000**

(4) Local Funds **500,000**

(5) Other Funds **5,387,800**

Total School of Medicine **12,920,000** **30,387,800** **43,307,800**

2. Family Residency Program

(a) Instruction **1,240,575**

(b) Institutional Support **16,575**

(c) Operation & Maintenance of
Physical Plant **17,850**

Source of Funds:

(1) ASETF **1,275,000**

Total Family Residency Program **1,275,000** **1,275,000**

The above appropriation shall be
expended for residency programs
as follows:

Anniston	225,000
East End	225,000
Cooper Green	225,000
Montgomery	225,000
Heflin	50,000
Selma	225,000
Gadsden	100,000

3. University College:

(a) Instruction	9,570,238
(b) Research	587,223
(c) Public Service	869,169
(d) Libraries	1,118,756
(e) Academic Support	2,133,102
(f) Student Services	813,873
(g) Institutional Support	1,922,978
(h) Operation & Maintenance of Physical Plant	1,622,298
(i) Scholarships and Fellowships	341,782

Source of Funds:

(1) ASETF	10,908,531		
(2) Federal Funds		931,897	
(3) Other Sources		7,138,991	
Total University College	10,908,531	8,070,888	18,979,419

4. University Hospital and Clinics:

(a) Hospital	72,033,743
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Source of Funds:

(1) ASETF	4,400,000		
(2) Other Sources		67,633,743	
Total University Hospital Clinics	4,400,000	67,633,743	72,033,743

5. School of Optometry:

(a) Instruction	1,815,466
(b) Research	97,475
(c) Public Service	34,116
(d) Libraries	5,088
(e) Academic Support (excl. Lib.)	14,621

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(f) Student Services	41,427
(g) Institutional Support	141,338
(h) Operation & Maintenance of Physical Plant	292,424

Source of Funds:

(1) ASETF	1,708,786		
(2) Federal Funds		168,169	
(3) Other Sources		565,000	
Total School of Optometry	1,708,786	733,169	2,441,955

**6. School of Community and Allied
Health Resources:**

(a) Instruction	1,258,018
(b) Research	215,154
(c) Public Service	245,529
(d) Libraries	22,782
(e) Academic Support (excl. Libr.)	377,152
(f) Student Services	126,561
(g) Institutional Support	154,405
(h) Operation & Maintenance of Physical Plant	108,843
(i) Scholarships & Fellowships	22,780

Source of Funds:

(1) ASETF	1,533,724		
(2) Federal Funds		644,500	
(3) Other Sources		353,000	
Total School of Community and Al- lied Health Resources	1,533,724	997,500	2,531,244

7. Regional Technical Institute:

(a) Instruction	932,336
(b) Research	117,505
(c) Public Service	213,821
(d) Libraries	15,411
(e) Academic Support (excl. Libr.)	317,842
(f) Student Services	44,305
(g) Institutional Support	138,695

(h) Operation & Maintenance of Physical Plant			146,400
Source of Funds:			
(1) ASETF	1,365,565		
(2) Federal Funds		430,000	
(3) Other Sources		130,750	
Total Regional Technical Institute ..	1,365,565	560,750	1,926,315
8. Joint Health Sciences Program:			
(a) Instruction			1,638,787
(b) Libraries			21,100
(c) Academic Support (excl. Libr.) ..			257,892
(d) Student Services			4,689
(f) Operation & Maintenance of Physical Plant			203,969
(g) Scholarships & Fellowships			70,334
Source of Funds:			
(1) ASETF	1,733,923		
(2) Federal Funds		213,514	
(3) Other Sources		397,036	
Total Joint Health Sciences Program	1,733,923	610,550	2,344,473
9. Department of Pediatrics:			
(a) Instruction			300,000
Source of Funds:			
(1) ASETF	300,000		
Total Department of Pediatrics	300,000		300,000
10. Center for Labor Education and Research:			
(a) Public Service			218,542
(b) Institutional Support			28,665
(c) Operation & Maintenance of Physical Plant			15,779
Source of Funds:			
(1) ASETF	262,986		
Total Center for Labor Education and Research	262,986		262,986

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11. Student Nurses Loans:

(a) Scholarships & Fellowships 12,000

Source of Funds:

(1) ASETF 12,000

Total Student Nurses—Loans 12,000 12,000

12. Special Mental Health:

(a) Instruction 1,768,595

(b) Research 384,447

(c) Public Service 88,678

(d) Institutional Support 76,378

(e) Operation & Maintenance of
Physical Plant 79,858

(f) Transfers 587,044

Source of Funds:

(1) Special Mental Health Fund 2,985,000

Total Special Mental Health 2,985,000 2,985,000

**13. Center for Developmental and
Learning Disorders:**

(a) Instruction 1,507,533

(b) Research 8,782

(c) Public Service 1,057,577

Source of Funds:

(1) Special Mental Health Fund 504,000

(2) Federal Funds 1,456,051

(3) Local Funds 109,268

(4) State Funds 425,354

(5) Other Funds 79,219

**Total Center for Development and
Learning Disorder** 2,573,892 2,573,892

14. School of Dentistry:

(a) Instruction 5,444,690

(b) Research 2,262,570

(c) Public Service 1,052,640

(d) Libraries 84,695

(e) Academic Support 725,959

(f) Student Services			48,397
(g) Institutional Support			859,051
(h) Operation & Maintenance of Physical Plant			1,621,308
(i) Debt Service			94,490
Source of Funds:			
(1) ASETF	5,850,000		
(2) Federal Funds		4,415,800	
(3) Other Sources		1,928,000	
Total School of Dentistry	5,850,000	6,343,800	12,193,800
15. School of Nursing Scholarships:			
(a) Scholarships & Fellowships			88,400
Source of Funds:			
(1) ASETF	88,400		
Total School of Nursing Scholar- ships	88,400		88,400
16. System Medical Education Pro- gram:			
(a) Instruction			475,000
Source of Funds:			
(1) ASETF	475,000		
Total System Medical Education Program	475,000		475,000
17. School of Nursing:			
(a) Instruction			2,182,924
(b) Research			13,270
(c) Public Service			16,588
(d) Libraries			33,175
(e) Academic Support			361,609
(f) Student Services			53,080
(g) Institutional Support			248,814
(h) Operation & Maintenance of Physical Plant			215,638
(i) Scholarships & Fellowships			192,416
Source of Funds:			
(1) ASETF	2,115,316		

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(2) Federal Funds		675,111	
(3) Other Sources		527,087	
Total School of Nursing	2,115,316	1,202,198	3,317,514

18. Health-Related Research and Public Service:

(a) Instruction			268,750
(b) Research			244,443
(c) Public Service			1,103,865
(d) Institutional Support			43,000
(e) Operation & Maintenance of Physical Plant			48,500

Source of Funds:

(1) ASETF	1,708,558
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Total Health-Related Research and Public Service	1,708,558	1,708,558
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(These appropriations under Sub-section B, University of Alabama in Birmingham, are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursement for patient care activities.)

19. End Stage Renal Disease:

(a) Capital Improvements	800,000
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Source of Funds:

(1) ASETF	800,000
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Total End Stage Renal Disease	800,000	800,000
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20. Emergency Medical Training, Including Mining Emergency Training and Safety:

(a) Instruction	125,000
(b) Research	50,000
(c) Public Service	40,000
(d) Institutional Support	17,500

(e) Operation & Maintenance of Physical Plant			17,500
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Source of Funds:

(1) ASETF	250,000		
Total Emergency Medical Training	250,000		250,000
TOTAL UNIVERSITY OF ALA- BAMA IN BIRMINGHAM	47,707,789	122,099,290	169,807,079

C. University of Alabama in Huntsville

1. Operation and Maintenance:

(a) Instruction			3,774,180
(b) Research			1,430,590
(c) Public Service			240,728
(d) Libraries			310,463
(e) Academic Support (excl. Libr.)			240,303
(f) Student Services			399,162
(g) Institutional Support			1,129,697
(h) Operation and Maintenance of Physical Plant			1,008,072
(i) Scholarships and Fellowships ..			811,928
(j) Auxillary Enterprises			1,315,561
(k) Equipment Purchases			300,422

Source of Funds:

(1) ASETF	4,819,476		
(2) State Funds		85,494	
(3) Federal Funds		1,964,933	
(4) Other Sources		4,091,203	
Total Operation & Maintenance	4,819,476	6,141,630	10,961,106

2. School of Nursing Scholarship:

(a) Scholarships and Fellowships			18,000
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Source of Funds:

(1) ASETF	18,000		
Total School of Nursing Scholar- ships	18,000		18,000

(To be expended in accordance with
Act 2290, 1971 Regular Session.)

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**3. School of Primary Medical
Care:**

(a) Instruction	1,672,833
(b) Public Service	16,720
(c) Libraries	26,518
(d) Academic Support (excl. Lib.)	371,592
(e) Student Services	68,046
(f) Institutional Support	325,543
(g) Operation and Maintenance of Physical Plant	241,370
(h) Scholarships and Fellowships ..	5,475
(i) Equipment Purchases	51,000

Source of Funds:

(1) ASETF	2,267,652		
(2) Federal Funds		447,445	
(3) Other Sources		64,000	
Total School of Primary Medical Care	2,267,652	511,445	2,779,097

**4. Center for Environmental and
Energy Studies:**

(a) Research	273,706
(b) Public Service	194,168
(c) Institutional Support	13,456
(d) Operation and Maintenance of Physical Plant	52,290
(e) Equipment Purchases	34,422

Source of Funds:

(1) ASETF	262,986		
(2) State Funds		49,114	
(3) Federal Funds		254,417	
(4) Other Sources		1,525	
Total Center for Environmental and Energy Studies	262,986	305,056	568,042

5. Ambulatory Care Center:

(a) Instruction	527,752
(b) Academic Support	520,524
(c) Institutional Support	64,875

(d) Operation and Maintenance of Physical Plant			74,667
(e) Equipment Purchases			58,442
Source of Funds:			
(1) ASETF	558,168		
(2) Other Sources		688,092	
Total Ambulatory Care Center	558,168	688,092	1,246,260
6. School of Nursing:			
(a) Instruction			527,283
(b) Academic Support (excl. Libr.)			166,510
(c) Institutional Support			77,920
(d) Operation and Maintenance of Physical Plant			137,610
(e) Equipment Purchases			11,998
Source of Funds:			
(1) ASETF	682,482		
(2) Federal Funds		60,000	
(3) Other Sources		178,839	
Total School of Nursing	682,482	238,839	921,321
TOTAL UNIVERSITY OF ALABAMA IN HUNTSVILLE	8,608,764	7,885,062	16,493,826
II. Board of Trustees of Alabama A & M University			
A. Alabama A & M University			
1. Operation and Maintenance:			
(a) Instruction			5,081,743
(b) Research			1,189,700
(c) Public Service			1,434,405
(d) Libraries			544,051
(e) Academic support			271,476
(f) Student Services			398,486
(g) Institutional Support			1,773,905
(h) Operations & Maintenance of Physical Plant			1,929,744
(i) Scholarships & Fellowships			80,000
(j) Auxiliary Enterprises			2,512,962
(k) Equipment Purchases			138,116

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(l) Automotive Equipment	83,000
(m) Debt Service	491,321

Source of Funds:

(1) ASETF	6,951,132		
(2) Federal Funds		3,271,494	
(3) Other Sources		5,534,283	
(4) State Funds		172,000	
Total Alabama A & M University ..	6,951,132	8,977,777	15,928,909

III. Board of Trustees of Alabama State University

A. Alabama State University

1. Operation and Maintenance:

(a) Instruction	4,608,030
(b) Libraries	757,344
(c) Academic Support (Excl. Libr.)	522,090
(d) Student Services	868,189
(e) Institutional Support	1,307,364
(f) Operation & Maintenance of Physical Plant	1,488,642
(g) Scholarships & Fellowships	2,893,892
(h) Auxiliary Enterprises	2,349,960
(i) Research	74,839
(j) Public Service	78,851
(k) Debt Service	1,294,000

Source of Funds:

(1) ASETF	5,936,199		
(2) Federal Funds		3,332,836	
(3) Other Sources		6,943,020	
(4) State Funds		31,200	
Total Alabama State University	5,936,199	10,307,056	16,243,255

IV. Board of Trustees of Auburn University

A. Auburn University

1. Operation and Maintenance:

(a) Instruction	29,376,930
(b) Research	9,105,270

(c) Public Service	926,467
(d) Libraries	2,296,142
(e) Academic Support	947,220
(f) Student Services	1,676,074
(g) Institutional Support	1,981,712
(h) Operation & Maintenance of Physical Plant	5,836,439
(i) Scholarships & Fellowships	1,800,000

Source of Funds:

(1) ASETF	30,025,072	
(2) Federal Funds	3,495,000	
(3) Local Funds		760,000
(4) Other Sources	17,710,902	
(5) State Funds	1,955,280	
Total Operation and Maintenance ..	30,025,072	23,921,182
		53,946,254

2. Instruction, Research and De-
velopment:

(a) Research	7,911,700
(b) Public Services	763,750
(c) Libraries	12,650
(d) Institutional Support	237,900

Source of Funds:

(1) State Funds	1,935,000	
(2) Federal Funds	3,340,000	
(3) Local Funds	770,000	
(4) Other Sources	2,881,000	
Total Instruction, Research and De- velopment	8,926,000	8,926,000

3. Educational Television:

(a) Instruction	320,062
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Source of Funds:

(1) ASETF	320,062	
Total Educational Television	320,062	320,062

4. Center for Vocational and Adult
Teacher Education:

(a) Instruction	125,000
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Source of Funds:

(1) ASETF	125,000	
Total Center for Vocational & Adult Teacher Education	125,000	125,000

5. Clinical Psychology:

(a) Instruction		100,000
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Source of Funds:

(1) ASETF	100,000	
Total Clinical Psychology	100,000	100,000

**6. Agricultural Experiment Sta-
tion:**

(a) Research		13,550,418
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Source of Funds:

(1) ASETF	6,289,803		
(2) Federal Funds		3,966,085	
(3) Other Sources		3,100,000	
(4) State Funds		194,530	
Total Agricultural Experiment Sta- tion	6,289,803	7,260,615	13,550,418

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1978.

The funds provided in this sub-section (a) shall be used for the support of researches, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researches to discover new uses of land; for the provisions of necessary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination

between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

7. Wildlife Research:

(a) Research		53,344
Source of Funds:		
(1) ASETF	53,344	
Total Wildlife Research	53,344	53,344

8. Engineering Experimental Station:

(a) Research		506,764
Source of Funds:		
(1) ASETF	506,764	
Total Engineering Experimental Station	506,764	506,764

9. Cooperative Extension Service:

(a) Public Service		15,391,437
Source of Funds:		
(1) ASETF	6,831,234	
(2) Federal Funds		6,896,203
(3) Local Funds		1,510,000
(4) Other Sources		154,000
Total Cooperative Extension Service	6,831,234	8,560,203
		15,391,437

10. Cooperative Extension Service—Retirement:

(a) Public Service		765,773
Source of Funds:		
(1) ASETF	588,313	
(2) Other Sources		177,460
Total Cooperative Extension Service—Retirement	588,313	177,460
		765,773

The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn

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University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

11. Public Service, Research and Extension:

(a) Public Service	100,000
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Source of Funds:

(1) ASETF	100,000	
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Total Public Service, Research and Extension	100,000	100,000
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12. Auxiliary Enterprises:

(a) Auxiliary Enterprises	25,033,930
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Source of Funds:

(1) Other Sources	25,033,930	
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Total Auxiliary Enterprises	25,033,930	25,033,930
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TOTAL AUBURN UNIVERSITY	44,939,592	73,879,390	118,818,982
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B. Auburn University at Montgomery

1. Operations & Maintenance:

(a) Instruction	3,821,576
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(b) Research	60,188
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(c) Public Service	3,369,207
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(d) Libraries	740,035
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(e) Academic Support	327,602
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(f) Student Services	517,605
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(g) Institutional Support	222,838
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(h) Operation and Maintenance of Physical Plant	592,166
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(i) Scholarships and Fellowships ..	12,000
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(j) Debt Service	82,664
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Source of Funds:

(1) ASETF	4,582,460
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(2) Federal Funds	3,250,278
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(3) State Funds	109,870
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(4) Other Sources	1,803,273
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Total Operation and Maintenance ..	4,582,460	5,163,421	9,745,881
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2. Montgomery Area Community Health Science Institute:			
(a) Public Service			120,541
Source of Funds:			
(1) ASETF	120,541		
Total Montgomery Area Community Health Science Inst.	120,541		120,541
3. Public Service Research & Extensions (Centers for Business & Public Affairs):			
(a) Research			20,000
(b) Public Services			30,000
Source of Funds:			
(1) ASETF	50,000		
Total Public Service Research & Extensions (Centers for Business & Public Affairs.)	50,000		50,000
4. Auxiliary Enterprises:			
(a) Auxiliary Enterprises			1,333,183
Source of Funds:			
(1) Other Sources	1,333,183		
Total Auxiliary Enterprises	1,333,183		1,333,183
TOTAL AUBURN AT MONTGOMERY	4,753,001	6,496,604	11,249,605
V. Board of Trustees of Jacksonville State University			
A. Jacksonville State University			
1. Operations and Maintenance:			
(a) Instruction			7,140,000
(b) Public Service			61,000
(c) Libraries			1,009,000
(d) Academic Support			418,000
(e) Student Services			811,000
(f) Institutional Support			352,000
(g) Operation and Maintenance of Physical Plant			2,155,891
(h) Scholarships and Fellowships ..			300,000
(i) Debt Service			489,425

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Source of Funds:

(1) ASETF	8,792,532		
(2) State Funds		145,000	
(3) Other Sources		3,798,784	
Total Operations & Maintenance ...	8,792,532	3,943,784	12,736,316

2. Gadsden Program:

(a) Instruction			311,468
(b) Public Service			5,000
(c) Libraries			20,000
(d) Academic Support			15,000
(e) Student Services			13,000
(f) Institutional			—
(g) Operation and Maintenance of Physical Plant			50,000

Source of Funds:

(1) ASETF	309,468		
(2) Other Sources		105,000	
Total Gadsden Program	309,468	105,000	414,468

3. Nursing Scholarships:

(a) Scholarships and Fellowships ..			18,000
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Source of Funds:

(1) ASETF	18,000		
Total Nursing Scholarships	18,000		18,000

(To be expended in accordance with
Act No. 2288, 1971 Regular Ses-
sion.)

4. Auxiliary Enterprises:

(a) Auxiliary Enterprises			1,327,215
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Source of Funds:

(1) Other Sources		1,327,215	
Total Auxiliary Enterprises		1,327,215	1,327,215

TOTAL JACKSONVILLE STATE UNIVERSITY	9,120,000	5,375,999	14,495,999
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**VI. Board of Trustees of Livingston
University**

A. Livingston University

1. Operation and Maintenance:

(a) Instruction			1,489,643
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(b) Libraries	99,810
(c) Academic Support (excl. Libr.)	68,616
(d) Student Services	164,654
(e) Institutional Support	565,181
(f) Operation & Maintenance of Physical Plant	707,677
(g) Scholarships and Fellowships ..	5,605
(h) Auxiliary Enterprises	1,016,169
(i) Equipment Purchases	88,211
(j) Automotive Equipment	20,000

Source of Funds:

(1) ASETF	2,663,554		
(2) Federal Funds		253,930	
(3) Local Funds		1,308,082	
Total Operation and Maintenance ..	2,663,554	1,562,012	4,225,566

2. Nursing Scholarships:

Source of Funds:

(1) ASETF	18,000		
Total Nursing Scholarships	18,000		18,000
TOTAL LIVINGSTON UNIVER- SITY	2,618,554	1,562,012	4,243,566

VII. Board of Trustees of University
of Montevallo

A. University of Montevallo:

1. Operations and Maintenance:

(a) Instruction	2,972,100
(b) Research	5,500
(c) Public Service	75,600
(d) Libraries	219,000
(e) Academic Support	265,500
(f) Student Services	317,600
(g) Institutional Support	617,000
(h) Operation & Maintenance of of Physical Plant	1,229,800
(i) Scholarships and Fellowships ..	82,500
(j) Auxiliary Enterprises	2,260,869

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(k) Capital Improvements 476,888

Source of Funds:

(1) ASETF	4,425,188		
(2) State Funds		52,510	
(3) Federal Funds		113,790	
(4) Other Sources		3,930,869	

Total Operations and Maintenance ..	4,425,188	4,097,169	8,522,357
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2. School for Aphasic Children:

(a) Instruction 165,872

(b) Operation and Maintenance of
Physical Plant 16,000

Source of Funds:

(1) ASETF	164,374		
(2) Other Sources		17,498	

Total School for Aphasic Children ..	164,375	17,498	181,872
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3. Highway Safety Program:

(a) Instruction 95,127

(b) Operation and Maintenance of
Physical Plant 31,921

Source of Funds:

(1) ASETF	115,714		
(2) Other Sources		11,334	

Total Highway Safety Program	115,714	11,334	127,048
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TOTAL UNIVERSITY OF MONTE- VALLO	4,705,276	4,126,001	8,831,277
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VIII. Board of Trustees of Univer-
sity of North Alabama

A. University of North Alabama:

1. Operations and Maintenance:

(a) Instruction 4,572,557

(b) Research 42,600

(c) Public Service 45,916

(d) Libraries 516,587

(e) Academic Support (excl. Libr.) 224,258

(f) Student Services 466,106

(g) Institutional Support 1,123,590

(h) Operation & Maintenance of Physical Plant			1,514,120
(i) Scholarships & Fellowships			51,600
(j) Equipment Purchases			78,939
(k) Debt Service			455,000
Source of Funds:			
(1) ASETF	5,710,623		
(2) Federal Funds		178,000	
(3) Local Funds		80,000	
(4) Other Sources		3,122,630	
Total Operation and Maintenance ..	5,710,623	3,380,630	9,091,253
2. Auxiliary Enterprises:			
(a) Auxiliary Enterprises			3,391,276
Source of Funds:			
(1) Other Sources		3,391,276	
Total Auxiliary Enterprises		3,391,276	3,391,276
3. Nursing School Scholarships:			
(a) Scholarships & Fellowships			18,000
Source of Funds:			
(1) ASETF	18,000		
Total Nursing School Scholarships ..	18,000		18,000
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)			
TOTAL UNIVERSITY OF NORTH ALABAMA	5,728,623	6,771,906	12,500,529
IX. Board of Trustees of University of South Alabama			
A. University of South Alabama:			
1. Operations and Maintenance:			
(a) Instruction			7,402,237
(b) Research			129,439
(c) Public Service			69,094
(d) Libraries			315,789
(e) Academic Support			430,840
(f) Student Services			1,247,196

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(g) Institutional Support	1,410,366
(h) Operations and Maintenance of Physical Plant	1,824,534
(i) Scholarships and Fellowships ..	270,140
(j) Debt Service	1,499,333
(k) Equipment Purchases	551,707
(l) Automotive Equipment	70,500
(m) Capital Improvements	92,000
(n) Transfers	50,000

Source of Funds:

(1) ASETF	8,055,439	
(2) State Funds		50,194
(3) Federal Funds		565,101
(4) Other Sources		6,692,441
Total Operations and Maintenance ..	8,055,439	7,307,736
		15,363,175

2. Statewide Medical Education:

(a) Instruction	121,115
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Source of Funds:

(1) ASETF	121,115	
Total Statewide Medical Educa- tion	121,115	121,115

3. Ambulatory Care:

(a) Academic Support	94,470
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Source of Funds:

(1) ASETF	94,470	
Total Ambulatory Care	94,470	94,470

**4. Family Practice Residency Pro-
gram:**

(a) Instruction	384,833
(b) Operations and Maintenance of Physical Plant	4,000
(c) Equipment Purchases	7,225
(d) Transfers	77,049

Source of Funds:

(1) ASETF	473,107	
Total Family Practice Residency Programs	473,107	473,107

The above appropriation shall be expended for Rural Family Practice Training Programs not limited to but including Family Practice Residency in Baldwin County and Family Practice Training Center in Pike County: \$473,107

5. College of Medicine:

(a) Instruction	5,767,420
(b) Research	908,147
(c) Public Service	22,293
(d) Libraries	383,350
(e) Academic Support	267,919
(f) Student Services	105,368
(g) Institutional Support	539,199
(h) Operations & Maintenance of Physical Plant	840,083
(i) Scholarships and Fellowships ..	36,380
(k) Capital Improvements	2,084,538

Source of Funds:

(1) ASETF	7,188,066		
(2) State Funds		402,448	
(3) Federal Funds		775,668	
(4) Other Sources		2,788,515	
Total College of Medicine.....	7,188,066	3,966,631	11,154,697

6. University Medical Center:

(a) Medical Center Operations and Maintenance	23,269,683
(b) Equipment Purchases	855,108
(c) Automotive Equipment	17,802

Source of Funds:

(1) ASETF	1,582,478		
(2) Other Sources		22,560,115	
Total University Medical Center ...	1,582,478	22,560,115	24,142,593

(The appropriations under Subsection 6, University Medical Center, are for unrestricted support of Medical Center Operations and Maintenance, and therefore insurance companies, whether op-

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erated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursement for patient care activities.)

7. Infant and Maternal Care:

(a) Instruction		50,000
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Source of Funds:

(1) ASETF	50,000	
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Total Infant & Maternal Care	50,000	50,000
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8. End Stage Renal Disease:

(a) Capital Improvements		50,000
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(b) Instruction		25,000
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Source of Funds:

(1) ASETF	75,000	
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Total End Stage Renal Disease	75,000	75,000
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9. Division of Allied Health:

(a) Instruction		380,643
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(b) Institutional Support		58,216
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(c) Equipment Purchases		50,000
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(d) Transfers		27,743
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Source of Funds:

(1) ASETF	512,262	
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(2) Other Sources		4,340
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Total Division of Allied Health	512,262	4,340	516,602
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10. School of Nursing:

(a) Instruction		447,499
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(b) Equipment Purchases		20,000
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(c) Transfers		54,487
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Source of Funds:

(1) ASETF	409,578	
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(2) Federal Funds		21,000
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(3) Other Sources		91,408
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Total School of Nursing	409,578	112,408	521,986
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11. Nursing Scholarships:

(a) Scholarships and Fellowships .. 21,355

Source of Funds:

(1) ASETF	18,000		
(2) Other Sources		3,355	
Total Nursing Scholarships	18,000	3,355	21,355

(To be expended in accordance with
Act No. 2304, 1971 Regular Ses-
sion.)

12. Auxiliary Enterprises:

(a) Auxiliary Enterprises 3,800,153

Source of Funds:

(1) Other Sources	3,800,153		
Total Auxiliary Enterprises	3,800,153	3,800,153	

TOTAL UNIVERSITY OF SOUTH ALABAMA	18,579,515	37,754,738	56,334,253
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X. Board of Trustees of Troy State
University

A. Troy State University:

1. Operations and Maintenance:

(a) Instruction	3,926,100
(b) Research	34,270
(c) Libraries	539,130
(d) Academic Support (Excl. libr.)	61,440
(e) Student Services	604,980
(f) Institutional Support	1,998,800
(g) Operation & Maintenance of Physical Plant	1,262,480
(h) Scholarships & Fellowships ..	396,100
(i) Public Service	200,000
(j) Auxiliary Enterprises	2,525,530
(k) Capital Improvements	117,369
(l) Automotive Equipment	9,490
(m) Debt Services	243,000

Source of Funds:

(1) ASETF 5,693,364

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(2) Federal Funds		566,580	
(3) Other Sources		5,658,745	
Total Operations & Maintenance ...	5,693,364	6,225,325	11,918,689
2. Extension, Public Service and Research:			
(a) Public Service			932
Source of Funds:			
(1) Other Sources		932	
Total Extension, Public Service and Research		932	932
3. Operation and Maintenance at Ft. Rucker/Dothan:			
(a) Instruction			986,640
(b) Libraries			138,160
(c) Institutional Support			363,270
(d) Auxiliary Enterprises			134,556
Source of Funds:			
(1) ASETF	330,000		
(2) Other Sources		1,292,626	
Total Operation & Maintenance at Ft. Rucker/Dothan	330,000	1,292,626	1,622,626
4. Operations and Maintenance in Montgomery:			
(a) Instruction			1,259,576
(b) Public Service			118,607
(c) Libraries			29,285
(d) Institutional Support			648,060
(e) Auxiliary Enterprises			182,050
Source of Funds:			
(1) ASETF	187,000		
(2) Other Sources		2,050,578	
Total Operations and Maintenance in Montgomery	187,000	2,050,578	2,237,578
5. Nursing Scholarships:			
(a) Scholarships and Fellowships ..			36,000

Source of Funds:

(1) ASETF	36,000		
Total Nursing Scholarships	36,000		36,000
(To be expended in accordance with Act No. 2292, 1971 Regular Ses- sion.)			
TOTAL TROY STATE UNIVER- SITY	6,246,364	9,569,461	15,815,825

XI. Board of Trustees for Alabama
Institute for Deaf and BlindA. Alabama Institute for Deaf and
Blind:

1. Operation and Maintenance:

(a) Instruction			1,568,033
(b) Libraries			40,938
(c) Student Services			345,784
(d) Institutional Support			135,628
(e) Operation and Maintenance of Physical Plant			1,215,948
(f) Scholarships and Fellowships			887
(g) Infirmary Speech and Hearing			121,120
(h) Auxiliary Enterprises			2,114,622

Source of Funds:

(1) ASETF	3,334,500		
(2) State Funds		79,255	
(3) Federal Funds		1,789,182	
(4) Other Sources		340,023	
Total Alabama Institute for Deaf and Blind	3,334,500	2,208,460	5,542,960

B. Department of Adult Blind and
Deaf:

1. Operation and Maintenance:

(a) Instruction			918,965
(b) Libraries			82,095
(c) Academic Support (Excl. Libr.)			30,231
(d) Student Services			646,441
(e) Institutional Support			247,356

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(f) Operation and Maintenance of Physical Plant			226,142
(g) Auxiliary Enterprises			5,809,272
(h) Equipment Purchases			48,554
Source of Funds:			
(1) ASETF	1,380,500		
(2) Federal Funds		1,619,141	
(3) Other Sources		5,009,415	
Total Department of Adult Blind Deaf	1,380,500	6,628,556	8,009,056
GRAND TOTAL ALABAMA INSTITUTE FOR DEAF AND BLIND	4,715,000	8,837,016	13,552,016

Also each certificated employee shall be allowed to hundred forty seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan (s) and the carrier (s) of the hospital-medical insurance.

Of the appropriation above three hundred dollars (\$300) per teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and principal shall co-operatively develop a budget for instructional supplies and materials and, based on this budget, recommend to the President the amount to be allotted to each teacher for the operation of the instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section.

Of the amount appropriated above for the fiscal year ending September 30, 1978, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary increases as follows: Teachers holding Rank "AA" or equivalent certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I or its equivalent teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II or its equivalent teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III or its equivalent teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV or its equivalent teachers not less than nine hundred (\$900) per annum for the regular academic year. Persons employed for ten, eleven or twelve months shall receive an additional pro rata salary increase. All other full-time non-teaching employees of the Institute shall receive a salary increase of not less than five hundred dollars (\$500) per annum.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

(a) Instruction	951,418
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(b) Research	64,222
(c) Public Service	17,458
(d) Libraries	70,925
(e) Academic Support (excl. Libr.)	87,182
(f) Student Services	143,456
(g) Institutional Support	302,649
(h) Operation and Maintenance of Physical Plant	263,249
(i) Auxiliary Enterprises	248,109
(j) Equipment Purchases	75,638

Source of Funds:

(1) ASETF	1,145,933		
(2) Federal Funds		177,717	
(3) Other Sources		900,656	
Total Athens State College	1,145,933	1,078,373	2,224,306

Section 6. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

1. University of Alabama at Huntsville for equipment and related program cost	125,000
2. University of Alabama at Tuscaloosa. For equipment and related program cost	100,000
3. University of South Alabama. For equipment and related program cost	125,000
4. George C. Wallace Community College at Dothan. For equipment and related program cost	120,000
5. Gadsden State Junior College. For equipment and related program cost	125,000

Section 7. For the examiners of Public Accounts to be used for the purpose of auditing all phases of public education

100,000

Source of Funds:

(1) ASETF	100,000	
Total Examiners of Public Accounts	100,000	100,000

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Section 8. Department of Agriculture. For a livestock judging arena	400,000
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Source of Funds:

(1) ASETF	400,000	
Total	400,000	400,000

Section 9. For the East Alabama Regional Child Development Program	425,000
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Source of Funds:

(1) ASETF	425,000	
Total	425,000	425,000

Section 10. Department of Health. For the Division of Maternal & Child Health	200,000
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Source of Funds:

(1) ASETF	200,000	
Total	200,000	200,000

(Provided however, that the above appropriation shall be expended only for the development of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting Federal matching requirements.)

Section 11.

There is hereby appropriated to each of the following city and county boards of education the amount of \$200,000 for use in replacing or repairing burned school buildings or school buildings which have been destroyed or damaged by natural disasters:

- Covington County Board of Education
- Walker County Board of Education
- Bibb County Board of Education
- Elmore County Board of Education
- Escambia County Board of Education
- Montgomery County Board of Education
- Fayette County Board of Education (For Berry School)
- Lauderdale County Board of Education
- Dale County Board of Education
- Baldwin County Board of Education
- Mobile County Board of Education (For Satsuma High School)
- Tuscaloosa County Board of Education

Perry County Board of Education
Marshall County Board of Education
Arab City Board of Education
Chambers County Board of Education

Section 12. There is hereby appropriated \$3,200,000 to be distributed by the Governor at his discretion to city and county boards of education for repairing or replacing burned school buildings or buildings which have been damaged or destroyed by natural disasters.

Section 13.

A.

1. There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,985,000 to be expended under the programmatic area as shown under subsection 12 on page 45.

2. There is hereby transferred from the Special Mental Health Trust Fund \$504,000 to be expended under the programmatic area as shown under subsection 13 on page 45.

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258 and 260 of the Constitution in 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

Section 14. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefor; provided, that all appropriations and funds made available to the University of Alabama, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 15. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall either maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation.

Section 16. The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or

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any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 17. This Act shall become effective on October 1, 1977.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Merrill, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 482, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

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And the bill:

H. 482. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1978.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 102; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

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H. R. 575 RESUMED

The resolution, H. R. 575, was again taken up.

The question was again on the motion offered by Mr. Callahan to reconsider the vote by which the resolution, H. R. 575, was adopted.

SUBSTITUTE MOTION ADOPTED

Mr. Gafford offered the substitute motion to temporarily postpone the resolution, H. R. 575, and the substitute motion was adopted.

H. R. 575 TEMPORARILY POSTPONED

On substitute motion offered by Mr. Gafford, the resolution, H. R. 575, was temporarily postponed.

RESOLUTION

The following resolution was introduced:

By Mr. Holmes (A):

H. J. R. 621. COMMENDING AUBURN UNIVERSITY'S HARVEY GLANCE FOR OUTSTANDING ACHIEVEMENT IN TRACK AND FIELD.

WHEREAS, The Legislature of Alabama has noted with pleasure and pride that Auburn University's Harvey Glance, once again, has acquitted himself with honor with a spectacular performance in the 45th Southeastern Conference Track and Field Meet; and

WHEREAS, Auburn finished the meet scoring 148 points, with Harvey Glance winning the long jump and contributing in four victories; he also was in three new conference records, winning the 100 and 200 meters in record times, 10.36 and 20.47, and participating for another record, 39.24, in the 440 relay; and

WHEREAS, This outstanding young man, a native of Phenix City, Alabama, and Olympic Gold Medalist, was awarded the Commissioner's Trophy for his 32.5 point total, bringing further honor to himself, his university and to his home state; nowtherefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body, once again, recognizes and applauds the outstanding feats accomplished in track and field by champion Harvey Glance; we commend him on his spectacular performance in the 45th SEC Track and Field Meet, in his honor we hereby repeal Act Number Nine Hundred Forty-Nine, adopted October tenth, Nineteen Hundred and Seventy Five, and congratulate him on winning the Commissioner's Trophy, and direct that a copy of this resolution be sent to him that he may know of our pride, our praise and our highest esteem.

On motion of Mr. Holmes (A), the rules were suspended and the resolution, H. J. R. 621, was adopted.

SPECIAL ORDER RESUMED

And the bill:

S. 879. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or

provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Was taken up .

S. 879 INDEFINITELY POSTPONED

On motion of Mr. Andrews, the bill, S. 879, was indefinitely postponed.

Yeas 9; Nays 1.

Yeas:

Messrs.: Andrews, Gafford, Hopping, Howard, Leonard, McNair, Moore (O), Weeks and White.

—9

Nay: Mr. Hall.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 880. To further amend Section 10 of Act 497 of the Regular Session of the Legislature of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which establishes a pension system for employees and officers of Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Biddle, Boles, Callahan, Falkenburg, Gafford, Hall, Hilliard, Hopping, Howard, Johnstone, Kennedy, McNair, Martin, Moore (O), Quarles, Sandusky, Sonnier, Trammell, Tucker, Waggoner and White.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendments to the following Senate Bills:

S. 638. To provide for a supplemental salary for the circuit judges and an expense allowance for the District Attorney of the Fourteenth Judicial Circuit; to be paid by the county comprising such circuit, to fix the amount and method of payment of such salary and expense allowance; and to provide that no retirement contributions shall be deducted from the District Attorney's expense allowance.

Also:

S. 823. To amend Section 1 of Act No. 741, H. 1860 of the Regular Session of 1973 (Acts 1973, p. 1100) relating to expense allowances of the chairman and members of the governing bodies of counties having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census, so as to raise such allowance.

Also:

S. 45. Providing further for the registration of voters, providing for additional times and places for the meeting of the boards of registrars and amending existing state laws so as to be consistent therewith.

Also:

S. 515. Relating to the 9th judicial circuit; to provide a salary increase for the secretaries of the circuit judges, and for the register of the most populous county of the circuit; and to make the provisions of this act retroactive to January 1, 1977.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 522. CALLING FOR AN IMMEDIATE CESSATION OF USELESS MASS MAILINGS TO STATE LEGISLATORS BY ALL STATE AGENCIES INCLUDING COLLEGES, TRADE SCHOOLS AND UNIVERSITIES AND SETTING THE INTENT OF THIS RESOLUTION AND ASKING FOR EVALUATION AS TO LEGISLATIVE NEED OF PRINTED MATTER TO BE MAILED TO THE LEGISLATORS.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 442. To provide for the partial participation of certain retired employees of the Cooperative Extension Service of Auburn University retired under Federal Civil Service Retirement in the state employees'

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retirement system under the provisions of Act No. 697, H. 1601, Regular Session 1975 (Acts 1975, Vol. III, p. 1451), upon such employees making a certain contribution to the employees' retirement system; and to appropriate from the Alabama Special Education Trust Fund such additional sums as necessary to implement the provisions of this Act.

Also:

H. 572. To make an appropriation from the State General Fund to the Alabama Travel Council for the remainder of the fiscal year ending September 30, 1977.

Also:

H. 650. To amend Act No. 751, Acts of Alabama, 1965 Regular Session, relating to the cost of purchasing non-resident hunting licenses, exempting non-residents under the age of sixteen (16) from having to purchase hunting licenses.

Also:

H. 684. To amend Sections 39, 40 and 41 of Title 8, Code of Alabama of 1940, by providing for certain increases in non-resident fishing license fees; establishing an issuance fee for non-resident licenses; providing for the distribution of the revenue obtained by such increase, and provides for the deletion of any reference as to race from the application for said licenses.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

And the bill:

S. 474. To further amend Title 52, Section 151 of the Code of Alabama of 1940, as amended, which section relates to city boards of education, so as to increase the compensation of certain members in cities having a population of more than 300,000.

Was read a third time at length and passed.

Yeas 17; Nays 0.

Yeas:

Messrs.: Andrews, Armstrong, Biddle, Falkenburg, Gafford, Hall, Hilliard, Hopping, Howard, Johnstone, Leonard, McNair, Martin, Moore (O), Smith (B), Trammell and Waggoner.

—17

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 572. To further amend Section 2 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Acts of Alabama, 1966 Special Session, page 280, et seq.) entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the fire department of said city prior to September 19, 1939,

and to whom is applicable the pension and relief system provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956, to include in said separate system dependents of said presently active employees; and to render said Act No. 307 and Act Number 22 inapplicable to said certain presently active employees and their dependents".

Was taken up.

S. 572 INDEFINITELY POSTPONED

On motion of Mr. Andrews, the bill, S. 572, was indefinitely postponed.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Hilliard to suspend the rules in order to take up out of order the bill, S. 836, was lost, lacking a four-fifths vote.

Yeas 11; Nays 8.

Yeas:

Messrs.: Armstrong, Biddle, Falkenburg, Gafford, Hilliard, Hopping, Howard, Tucker, Turnham, Waggoner and White.

—11

Nays:

Messrs.: Andrews, Boles, Hall, Jolly, Leonard, McNair, Moore (O), and Trammell.

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bill Number 295, and containing a suggested Executive Amendment.

Respectfully submitted,

HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 16th DAY OF MAY, 1977.

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 295, without my signature and approval, and with a suggested Executive Amendment.

The bill, as presented to me, has an effective date of November 8, 1977. I am of the opinion that if the additional judgeship is necessary for the benefit of the citizens of the 13th Judicial Circuit, it is therefore necessary at this time, and should become effective immediately. Additionally, I am informed that the present bill, with its effective date, would allow the judge to be appointed to avoid running for election at the next General Election.

It is my opinion that the voters in the 13th Judicial Circuit should be allowed to make their decisions at the polls on their judges, whether newly appointed or not, as soon as practical under existing laws.

Therefore, I suggest the following Executive Amendment by deleting Section 5 in its entirety, and substituting in lieu thereof the following:

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The adoption of the above and foregoing Executive Amendment will remove my objections to this Bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Sonnier, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 295, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 54; Nays 1.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Campbell, Carothers, Cates, Crawford, Cross, Drake, Falkenburg, Ford, Gafford, Greer, Hall, Hill, Hilliard, Holmes (A), Holmes (D), Howard, Johnstone, Jolly, Kennedy, Killian, Kinsey, Lee, McCluskey, McCulley, Manley, Merrill, Moore (O), Naramore, Pegues, Quarles, Rich, Sandusky, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Waggoner, Weeks, Whatley, White and Ward.

—54

Nay: Mr. Callahan.

—1

And the bill:

H. 295. Relating to the thirteenth judicial circuit; providing for an additional circuit court judge in such circuit and prescribing the duties, authority, and compensation of such judge.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 52; Nays 1.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Campbell, Carothers, Cates, Crawford, Dial, Falkenburg, Ford,

Gafford, Greer, Hall, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Johnstone, Jolly, Killian, McCluskey, McCulley, Manley, Merrill, Moore (O), Naramore, Pegues, Quarles, Rich, Sandusky, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Tucker, Waggoner, Weeks, Whatley, White and Williams.

—52

Nay: Mr. Callahan.

—1

MOTION TO SUSPEND RULES

Mr. Callahan offered the motion to suspend the rules in order to take up out of order the bill, S. 426.

DIVISION OF THE QUESTION

Mr. Carothers called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mr. Callahan to suspend the rules, and the motion was lost, lacking a four-fifths vote.

Yeas 47; Nays 37.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Callahan, Carter, Clark, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Ford, Gafford, Glass, Greer, Holley, Holmes (D), Johnson, Johnstone, Kelley, Kennedy, Kinsey, McCulley, McMillan, Merrill, Moore (O), Moore (W), Morris, Owens, Plaster, Reed, Roberts, Robertson, Sandusky, Shoemaker, Smith (M), Sonnier, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Younce.

—47

Nays:

Messrs.: Albright, Barron, Boles, Brindley, Buskey, Campbell, Carothers, Cates, Coburn, Dial, Edwards, Goodwin, Hall, Harris, Hilliard, Hines, Hopping Howard, Jolly, Lee, Leonard, Lewis, Lockett, McCluskey, McNair, Manley, Martin, Naramore, Quarles, Riddick, Sasser, Smith (B), Smith (C), Starkey, Tucker, Turnham and Wyatt.

—37

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Bill Number 9, and containing a suggested Executive Amendment.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 16th DAY OF MAY, 1977.

REGULAR SESSION
30th Day

2705

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number Nine, without my signature and approval, and with the following suggested Executive Amendment.

It is my suggestion that you amend House Bill Number Nine by deleting Section 14 in its entirety, and inserting in lieu thereof the following:

Section 14. Act No. 535, S. 353 of the 1943 Regular Session (Acts of 1943, p. 508) and Act No. 182, S. 442 of the 1976 Regular Session (Acts of 1976, p. 76) in so far as said acts relate to inmates sentenced to the State penitentiary; but not to those inmates sentenced only to county or municipal jails and all other laws or parts of laws which conflict with the provisions of this act are hereby specifically repealed. Sentence reductions which have been earned by inmates under former laws repealed by this act shall remain, but be limited to accumulation of time earned prior to the effective date of this act.

The adoption of the above and foregoing suggested Executive Amendment will remove my objections to this Bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Gregg, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 9, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McCluskey, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—85

And the bill:

H. 9. To provide a comprehensive Correctional Incentive Program based on incentive for good conduct and work performed in the general operation of the prison and in prison industrial, agricultural, educational and work-release programs or other bona fide rehabilitative programs; to establish definitive criteria for qualification; to establish definitions for classifications under which sentence reductions may be earned; to

prescribe for the loss of correctional incentive sentence reductions; to provide limitation of sentence reductions; to provide for notification of inmates; to provide certain responsibilities of the Board of Corrections and the State Board of Pardons and Paroles; and to repeal specific and conflicting laws.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, McCluskey, McMillan, Manley, Martin, Merrill, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Rich Riddick, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—80

SPECIAL ORDER RESUMED

And the bill:

S. 222. To authorize the Alabama Court of Criminal Appeals to hire three staff attorneys and one stenographer and to pay the necessary salaries and expenses thereof, in addition to the staff presently employed by said Court; to make an appropriation out of the state general fund to cover said salaries and expenses.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—85

H. R. 575 AGAIN TAKEN UP

The resolution, H. R. 575, which previously was temporarily postponed, was again taken up.

Mr. Holley offered the motion to consider the motion to reconsider the resolution, H. R. 575, offered by Mr. Callahan.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 482. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1978.

And said Bill, H. B. 482, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

REPORT OF CONFERENCE COMMITTEE

ON H. B. 1100

We, your Committee on Conference, appointed to reconcile the differences between the two Houses on House Bill 1100, have met, considered the matter, and agreed to the attached bill.

CONFEREES OF THE HOUSE:

Walter Owens
Jimmy Lee
Roy Johnson

CONFEREES OF THE SENATE

Richard Shelby
Earl Goodwin
John Baker

A BILL
TO BE ENTITLED
AN ACT

Relating to Bibb County; amending the title and Section 4 of Act No. 1381, II. 2294 of the 1971 Regular Session (Acts 1971, Vol. III, p. 2327), as amended, which act pertains to the governing body of the county, and the Sheriff of Bibb County so as to reflect matters of compensation in the title and to increase the monthly expense allowance of certain commissioners, and the Sheriff of Bibb County, payable from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The title and Section 4 of Act No. 1381, H. 2294 of the 1971 Regular Session (Acts 1971, Vol. III, p. 2327), as amended, are hereby amended to read as follows:

"An Act Relating to Bibb County, providing further for the election of members of the governing body of said county, and setting the compensation for such officers, and the Sheriff of Bibb County, payable from the county treasury.

"Section 4. Each commissioner of the county governing body, other than the chairman, shall receive a monthly salary of \$500 and \$300 per month expense allowance, payable from the county treasury. The chairman of the county governing body and the Sheriff of Bibb County shall

receive a \$200 per month expense allowance which shall be payable from the county treasury."

Section 2. This act shall become effective on the first day of the month immediately following its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Owens, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 1100, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Hill, Hines, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Quarles, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Smith (J), Sonnier, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—69

And the bill:

H. 1100. Relating to Bibb County; amending the title and Section 4 of Act No. 1381, H. 2294 of the 1971 Regular Session (Acts 1971, Vol. III, p. 2327), as amended, which act pertains to the governing body of the county, so as to reflect matters of compensation in the title and to increase the monthly expense allowance of certain commissioners, payable from the county treasury.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Gafford, Glass, Goodwin, Greer, Harris, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Sonnier, Starkey, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—76

REPORT OF CONFERENCE COMMITTEE ON HB 794

We, the Committee on Conference, appointed to reconcile the difference between the two Houses concerning House Bill 794, have met, considered the matter, and have agreed to the following:

Attached House Bill 794 with two House amendments, plus attached Senate amendments, and, also, amend on page 9, Section 9(a)1. by striking the figures "1,500" and inserting in lieu thereof the figures "1,200" as in the existing law, and also on page 4 of Senate amendments, line 13, delete the word "nine and insert the word "ten" and on line 18, delete the word "two" and insert the word "three".

CONFEREES FOR THE HOUSE

Walter Owens
Hartwell Lutz
Chris McNair

CONFEREES OF THE SENATE:

Richard Shelby
Joe Fine
George McMillan

A BILL
TO BE ENTITLED
AN ACT

To amend further Sections 1, 4, 6, 7, 9, 11, 12, 14, 16, 23 and 28 and to repeal Section 29 of Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), relating to cosmetology in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census, so as to further provide for the service area, compensation and expenses of members of the board; and to further regulate the teaching and practice of cosmetology.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1, 4, 6, 7, 9, 11, 12, 14, 16, 23 and 28 of Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), are hereby amended to read as follows:

"Section 1. (a) 'Cosmetology' as used in this act is hereby defined to mean any one and/or combination of practices generally and usually, heretofore and hereafter performed by, and known as the profession of beauty culturists, or cosmeticians, or cosmetologists, or hairdressers, or of any other person holding him or herself out as practicing cosmetology by what ever designation and within the meaning of this act and in/and upon whatever place or premises; and in particular cosmetology shall be defined and shall include—but otherwise not be limited thereby—the following or any one or a combination of practices, to-wit: Arranging, dressing, curling, waving, cleansing, cutting, singeing, bleaching, coloring, or similar work, upon the hair of any person, by any means, and/or with hand or mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions, creams, or otherwise, massaging, cleansing, stimulating, manipulating, exercising, beautifying, or similar work, the scalp, face, neck, arms, hands, bust, or upper part of the body, or manicuring the nails of any person.

"(b) 'Cosmetologist' shall mean any person, not an apprentice or a student, following or practicing cosmetology on members of the general public for compensation not owning or managing a beauty shop or school of cosmetology, and who shall have the qualifications hereinafter provided for a cosmetologist.

"(c) 'Managing cosmetologist' shall mean a cosmetologist who manages or conducts a beauty shop or school of cosmetology.

"(d) 'Manicurist' shall mean any person who engages only in the practice of manicuring the nails of any person.

"(e) 'Apprentice' shall mean any person who is engaged in the learning or acquiring of any or all practices of cosmetology and while so learning, performs or assists in any of the practices of cosmetology in a shop registered or licensed under this act.

"(f) 'Student' shall mean any person who is engaged in the learning or acquiring of any or all the practices of cosmetology and while so learning, performs or assists in any of the practices of cosmetology in a school registered or licensed under this act under the instruction or immediate supervision of an instructor, licensed as such under this act.

"(g) 'Instructor' shall mean any person who is a cosmetologist and who teaches cosmetology or any practices thereof in a duly registered school of cosmetology, provided, however, that nothing contained herein shall apply to any instructor employed as a teacher in a school or class executed by a public school board of education.

"(h) 'Student instructor' shall mean a cosmetologist who is receiving instructions in teacher's training in a duly registered school of cosmetology.

"(i) 'Beauty shop' shall mean any place or part thereof, wherein cosmetology or any of its practices are followed, whether such place is known or designated as a cosmetician, cosmetological or beauty shop or establishment or whether the person practicing cosmetology therein holds himself out as a cosmetician, cosmetologist or beauty culturist, or by any other name or designation indicating that cosmetology is practiced therein. All beauty shops shall have a managing cosmetologist on duty five days a week.

"(j) 'School of cosmetology' shall mean any place or part thereof, wherein cosmetology or any of its practices are taught, whether such place or establishment is known or designated as a cosmetician, cosmetological or beauty culture school or establishment, or by any other name or designation, indicating that cosmetology is taught therein to students, provided, however, that nothing contained herein shall apply to any school or class operated by a public school board of education.

"(k) 'Place of cosmetology' for the purpose of this act, shall mean such place wherein cosmetology is practiced on the members of the general public for compensation; and such place wherein cosmetology is taught to students shall hereinafter be considered as a school of cosmetology; provided, however, that any appropriate name herein mentioned may be used for either such beauty shop or for such school of cosmetology, respectively but such name shall be displayed upon or over the entrance door or doors of such place designating it as a beauty shop or school of cosmetology as the case may be, within the meaning of this act. Either of such establishments shall be entirely distinct and separated from any living quarters, but may be housed under the same roof. If a beauty shop is conducted in a home in a zone or district in a municipality in which the display of such name is forbidden by municipal ordinance or by other duly adopted zoning rule or regulation, signs designating the beauty shop or school of cosmetology may be omitted. Any shop in operation on September 20, 1957, upon proof that sanitary measures are being complied with, shall be exempt from the provisions of this subsection, provided that such exemption shall not apply if the ownership or location of the shop is changed. Each such establishment shall be entirely distinct and permanently separated from any living quarters.

"(1) 'Demonstrator' shall mean any person who is not licensed in this state as a cosmetologist or instructor and who demonstrates for purposes of selling or advertising any cosmetic preparation by applying the same with his or her hands upon the hair or body of another person, and shall be required to obtain a license from the board before making such demonstration. The requirements for the issuance of a demonstrator's license are a health card, two photographs, a notarized application and fee of \$10.00 as hereinafter provided for.

"(m) 'Board' as that term shall be used in this act shall mean and refer to the Alabama board of cosmetology, as hereinafter provided for.

"(n) 'Cosmetic studio' is defined as any place or premises where demonstrators give demonstrations for the purpose of advertising and selling cosmetics. It shall be necessary for any cosmetic studio to apply to the board for a certificate of registration for a cosmetic studio, said application to be upon a form prescribed by the board.

"Section 4. There is hereby created the Alabama board of cosmetology, to consist of seven persons, citizens of this state for at least (5) years prior to their appointment, for the purpose of carrying out and enforcing the provisions of this act. Such board shall be appointed by the governor and no two board members shall be residents of the same congressional district of the state of Alabama. The members of the board shall be at least twenty five (25) years of age, must have had at least five (5) years practical experience in the majority of the practices of cosmetology. The board provided for in this section shall be in lieu of the board provided for in Act No. 653, Regular Session 1957, as amended and the individual members composing the former board shall be and constitute the membership of the new board until their respective terms expire as provided by said Act No. 653, as amended. Thereafter, board members shall be appointed for terms of five years. Vacancies on the board shall be filled by the governor for the unexpired term. Only one member of the board shall be a member of or affiliated with a school of cosmetology. Said board may do all things necessary and convenient for enforcing the provisions of this act. The board may from time to time promulgate necessary rules and regulations compatible with the provisions of this act. Any board member may be removed by the governor for just cause. The Alabama Board of Cosmetology shall consist of seven persons, citizens of this state for at least five (5) years prior to their appointment, for the purpose of carrying out and enforcing the provisions of this act. Such board shall be appointed by the Governor. One member of such board shall reside in one of the following counties and shall be deemed to represent all of these counties, Mobile, Washington, Clark, Monroe, Wilcox, Choctaw, another member shall reside in one of the following counties and shall be deemed to represent all of these counties—Montgomery, Lowndes, Butler, Crenshaw, Pike, Covington, Conecuh, Escambia, Baldwin; another member shall reside in one of the following counties and shall be deemed to represent all of these counties—Tallapoosa, Chambers, Lee, Macon, Bullock, Russell, Barbour, Coffee, Dale, Henry, Geneva, Houston; another member shall reside in one of the following counties and shall be deemed to represent all of these counties—Calhoun, St. Clair, Talladega, Cleburne, Clay, Randolph, Coosa, Elmore, Autauga and Dallas; another member shall reside in one of the following counties and shall be deemed to represent all of these counties—Tuscaloosa, Pickens, Bibb, Shelby, Chilton, Perry, Hale, Greene, Sumter and Marengo; another member shall reside in one of the following counties and shall be deemed to represent all of these counties—Franklin, Marion, Lamar, Fayette, Winston, Walker, Cullman, Blount, Marshall, Etowah, DeKalb, Cherokee; another member shall reside in one of the following counties and shall be deemed to represent all of these

counties—Lauderdale, Colbert, Lawrence, Limestone, Morgan, Madison and Jackson. The members of the board shall be at least twenty-five (25) years of age, must have had at least five (5) years practical experience in the majority of the practices of cosmetology. Board members shall be appointed for terms of five years. Vacancies on the board shall be filled by the Governor for the unexpired terms. Only one member of the board shall be a member of or affiliated with a school of cosmetology. Said board may do all things necessary and convenient for enforcing the provisions of this act. The board may from time to time promulgate necessary rules and regulations compatible with the provisions of this act. Any board member may be removed by the Governor for just cause.

"The board shall publish all its rules and regulations, together with a copy of this act and its amendments, and distribute the same to all licensees affected by the same. Amendments and changes in said rules and regulations shall likewise be published by the board and distributed to the licensees hereunder. The rules and regulations so published and distributed must be retained in each shop or school licensed by the board and must be available at all times to personnel in each shop or school and available to the general public where interest in manifested.

"No rule or regulation of the board, or amendment or repeal of an existing rule or regulation, shall be effective until 20 days after written notice thereof shall have been given to each beauty shop owner and cosmetology school licensed under this act, but the failure of any such persons to receive the notice shall not invalidate the rule or regulation, amendment or repeal, except upon proof that the failure to give the notice was a willful violation of this requirement.

"Section 6. Each board member shall receive twenty-five dollars (\$25) per diem while engaged in the discharge of his or her official duties and shall be entitled to necessary expenses incurred therein not to exceed the per diem and mileage allowed to other state employees for necessary travel involved in the performance of official duties. Such per diem and expenses shall be paid from funds derived from the operation of this act, and deposited in the state treasury to the use of the board, upon requisition signed by the president and treasurer of the board, and on warrant of the state comptroller. Any money remaining in this fund at the end of each fiscal year shall remain on deposit in the state treasury for the use of the Alabama board of cosmetology. The board shall meet at such times and places as the members shall agree upon. The majority of the members of the board shall constitute a quorum for the transaction of business. The board shall prescribe rules for its government and have a seal with which to authenticate its acts.

"Section 7. The board shall meet at such times and places as the members shall agree upon. The majority of the members of the board shall constitute a quorum for the transaction of business. The board shall prescribe rules for its government and have a seal with which to authenticate its acts. Members of such board shall not be entitled to the per diem and expenses hereinabove provided for more than forty days during any calendar year. Members of the board shall be paid \$35.00 per day for transaction of board business not to exceed fifty days during any calendar year and such board members shall also receive travel and expenses as other state employees. Such compensation and expenses shall be paid from funds derived from the operation of this act, and deposited in the state treasury to the use of the board upon requisition signed by the president and treasurer of the board and on warrant of the state comptroller. Any money remaining in this fund at the end of each fiscal year shall remain on deposit in the state treasury for the use of the Alabama board of cosmetology.

"Section 9. No person shall be admitted to examination or receive a license under this act, except as otherwise provided for in this act, unless such person shall possess the following qualifications:

"(a) Cosmetologist.—Except as otherwise provided for in this act, no person may be licensed as a cosmetologist in any one or combination of the practices of cosmetology under this act, unless such person shall pay the original licensing fee as hereinafter provided for, and have an education equivalent to the completion of ten grades in school and shall have served and completed the required time and studies as follows:

"1. For a complete course of cosmetology, consisting of all or the majority of practices thereof in a school of cosmetology, of not less than 1,200 1,500 hours of continuous training not to exceed more than eight (8) hours in any one day;

"2. Or as an apprentice in a beauty shop for a period of not less than three thousand (3,000) hours over a minimum period of one (1) year of training not to exceed eight (8) hours in any one day; or, in either event,

"3. Shall have passed an examination to the satisfaction of the board as provided in this act.

"(b) Manicurist.—Except as otherwise provided for in this act, no manicurist may be licensed as such unless such person shall pay the original licensing fee as hereinafter provided for and shall have completed a course of training of not less than three hundred (300) hours in a school of cosmetology, or shall have served as an apprentice in a beauty shop for a period of not less than three hundred (300) hours of continuous training not to exceed more than eight (8) hours in any one day, and shall have passed an examination to the satisfaction of the board as provided for in this act.

"(c) Managing Cosmetologist.—Except as otherwise provided for in this act, no person may be licensed as a managing cosmetologist, unless such person shall pay the original licensing fee as hereinafter provided for, and shall be a licensed cosmetologist, and has served as such in a registered beauty shop or school of cosmetology for a period of not less than two years one year prior to such application for a license as managing cosmetologist.

"(d) Apprentices.—Apprentices in cosmetology shall be registered upon the payment of the original fee as hereinafter provided for, payable upon the commencement of the apprenticeship in a duly registered beauty shop. Such apprentice shall be at least sixteen (16) years of age at the time of such registration and shall have an education equivalent to the completion of ten grades in school. Provided, that any beauty shop that shall take an apprentice shall immediately file with the board the name and age of such apprentice, and the board shall cause the same to be entered in a register kept for that purpose, provided said apprentice shall at no time be concurrently enrolled in a school of cosmetology except for 6 hours of theory training per week.

"(e) Students.—Students in cosmetology shall be registered by the board upon enrollment in a registered school of cosmetology, and upon certification by such school of such enrollment. A student shall be at least sixteen (16) years of age at the time of such registration and shall have an education equivalent to the completion of ten grades in school. Provided, that any school of cosmetology that shall enroll such a student shall immediately file with the board the name and age of such student, and the board shall cause the same to be entered in a register kept for that purpose. Students in beauty schools are allowed to work in beauty

salons after completion of seventy percent of the total hours required in beauty school only when school is not in session. One student trainee will be allowed for the first managing cosmetologist and one additional student for each three additional licensed cosmetologists attached to its staff. Such student must be enrolled with the board and receive permit to work in beauty salon before beginning work. Fee of \$3.00 is required.

"(f) Instructors.—Except as otherwise provided in this act, no person may be licensed as an instructor in any one or combination of the practices of cosmetology unless such person shall pay the original licensing fee as hereinafter provided for, and shall hold a license as a cosmetologist issued to him pursuant to paragraph (a) in this section hereinabove, and in addition,

"1. Shall have completed not less than 1,250 hours in a teacher's training course in cosmetology in a registered school of cosmetology, to be eligible for admission to examination; or

"2. Shall have not less than one (1) year of experience as an active practicing cosmetologist prior to enrollment as a student instructor and supplemented by not less than 650 hours in a teacher's training course in cosmetology in a registered school of cosmetology, in order to be eligible for admission for examination.

"No instructor or student instructor shall be permitted to practice cosmetology on the public other than such practical work as shall pertain directly to the teaching of practical subjects to students.

"3. Shall have an education equivalent to the completion of twelve grades in school in order to enroll in a course for teacher's training in any registered school of cosmetology.

"Any person duly licensed to practice in any field related to cosmetology may apply to the board for a permit to teach theory in the field in which he is licensed to practice, and upon proper proof of qualifications, said board may issue such teacher's permit to the applicant.

"(g) Student Instructors.—Student instructors in cosmetology shall be registered by the board upon enrollment in a registered school of cosmetology, and upon certification by such school to the board of such enrollment. A student instructor at the time of such enrollment shall hold a license as a cosmetologist. Upon the completion of the course prescribed by this act for a student instructor, said student instructor may make application on a form provided by the board and pay the examination fee as hereinafter provided for. Said board shall thereupon cause such applicant to be examined for an instructor's certificate, said examination to be given by the board. Upon such applicant's successfully passing said examination and the payment of the original licensing fee of an instructor as hereinafter provided for said board shall issue and give an instructor's certificate. Provided that any school of cosmetology that shall enroll any person as a student instructor shall immediately file with the board the name and age of such student, his qualifications qualifying him for such course as herein provided and the board shall cause the same to be entered in a register kept for that purpose.

"The sufficiency of the qualifications of applicants for admission to the examinations or for licensing as herein provided for shall be determined by the board, subject to such provisions as the board shall make.

"Section 11. No school of cosmetology shall be granted a certificate of registration unless it shall employ and maintain a sufficient number

of competent instructors, at least one for every twenty students in attendance at any one time; shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum; shall keep a daily record of the attendance of each student; maintain regular class and instruction hours, establish grades, and hold examinations before issuance of diplomas; and shall require a school term of training for a complete course comprising all or the majority of the practices of cosmetology as provided in Section 9(a) of this act, together with the minimum number of hours therein prescribed; and shall include practical demonstrations and theoretical studies and study in sanitation, sterilization, other safety measures, and the use of antiseptics, cosmetics and electrical appliances, consistent with the practical and theoretical requirements as applicable to cosmetology or any practice thereof, as provided in this act. Any such school that shall enroll student instructors, shall not have at any one time more than one two student instructor instructors for each licensed instructor actively engaged in such school.

"Section 12. Every person who desires to engage in any of the practices designated to be within the meaning of this act shall file with the secretary of said board a written application for a certificate to practice or for an examination and license to practice, as the case may be, and as provided in this act. Such application shall be accompanied by a certificate stating that such applicant has been examined by a physician for venereal disease, communicable skin diseases and tuberculosis, and that, in the opinion of the examining physician, such person is either not infected with any such disease, or if infected with syphilis that it is not in a stage of that disease which is communicable. The examination on the part of the physician shall include a physical examination, and approved laboratory test for syphilis, and x-rays or such other tests for tuberculosis as are or shall be approved by the state board of health. The physician's certificate shall be accompanied by a statement from the person in charge of the laboratory making the required tests, or from some other person authorized to make such reports. A special form shall be used to show the result of the tests and shall be transmitted to the physician by the laboratory. The certificate of the examining physician and the statement of the person authorized to make reports for the laboratory shall be on a form approved, provided, and distributed by the Alabama state board of health or any similar form which may be used by any physician or laboratory authorized by the state board of health to perform such examinations and laboratory tests. The laboratory tests required by this section shall be performed by approved methods either in a laboratory of the Alabama state board of health, a laboratory operated or approved by the board of health or similar departments of another state within which such laboratory is situated or a laboratory operated or approved by an agency of the Federal government. Such laboratory tests must be made within thirty days prior to the filing of the application for a certificate to practice or for an examination for a license to practice. Physical examinations hereinabove required may be made by physicians duly licensed to practice medicine in Alabama or in the state in which they reside. Upon the request of each applicant for a certificate to practice or for an examination and license to practice, as the case may be, the health officer of any county of this state shall make the necessary examinations and issue such certificate, if the same can be properly issued, without charge to the applicant.

"Such applicant shall, under oath, submit photographs, satisfactory proof of the required age, educational qualifications, and of his good moral character. He shall also deposit the required fee hereinafter provided for. Every person who desires to engage in any of the practices designated to be within the meaning of this act shall file with the secre-

tary of said board a written application for a certificate to practice or for an examination and license to practice, as the case may be, and as provided in this act. Such application shall be accompanied by a certificate of health giving the dates and results of a chest x-ray or skin test and a standard test for syphilis. Such tests must be made within 45 days prior to filing of the application for a certificate to practice or for an examination for a license to practice.

"Section 14. The examination of applicants for a license to practice a classified profession as designated under this act shall be conducted under rules prescribed by the said board and shall include both practical demonstrations written and oral tests in reference to the practices for which a license is applied and such related studies on subjects as the board may determine necessary for the proper and efficient performance of such practices; and shall not be confined to any specific system or method, and such examinations shall be consistent with a prescribed curriculum for a beauty school or schools of cosmetology and the practical and theoretical requirements for the practice of cosmetology as provided by this act.

"Temporary permits will be extended until the next state board examination for persons failing the state board examination for the first time. Persons failing the state board examination for the second time must return to beauty school for 375 additional hours or train for 600 additional hours in a beauty salon and then retake both parts of the state board examination.

"Section 16. The various fees to be paid by the applicants for original registrations, original licenses, annual renewals, temporary permits, licenses issued upon reciprocity, and examinations as required under this act, shall be as follows:

"(a) Original registrations, licenses and annual renewals thereof

Beauty Shop, annual renewal 2 year renewal	\$ 10.00	\$ 27.00
Beauty Shop, original registration	35.00	47.00
School of Cosmetology, original registration	300.00	400.00
School of Cosmetology, annual renewal 2 year renewal	50.00	135.00
Cosmetologist, original license	50.00	14.00
Cosmetologist, annual renewal 2 year renewal	5.00	14.00
Managing Cosmetologist, original license	10.00	14.00
Managing Cosmetologist, annual renewal 2 year renewal	5.00	14.00
Manicurist, original license	10.00	14.00
Manicurist, annual renewal 2 year renewal	5.00	14.00
Instructor, original license	15.00	20.00
Instructor, annual renewal 2 year renewal	5.00	14.00
Instructor of theory in related fields, original license	10.00	14.00

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Instructor of theory in related fields, 2 year renewal		14.00
Demonstrators, original license	10.00	14.00
Demonstrators, annual renewal 2 year renewal	10.00	27.00
Cosmetic Studio, original registration	35.00	47.00
Cosmetic Studio, annual renewal 2 year renewal	10.00	27.00
Reciprocity License Fee (examination fee not included)	35.00	34.00
Apprentice, registration fee	2.00	3.00
Registration of student in beauty school	2.00	3.00
Registration fee for student instructor	5.00	7.00
Re-issue of lost license	5.00	7.00
Penalty fee for late renewal of license \$3.00 plus license renewal fee		\$ 4.00 per year
Fee for information concerning license standing	1.00	1.00
“(b) Examination		
As a cosmetologist	10.00	14.00
As a managing cosmetologist	10.00	14.00
As an instructor	10.00	14.00
As a manicurist	10.00	14.00
Re-examination fee, Cosmetologist, Managing Cosmetologist and Manicurist		10.00
Re-examination fee, Instructor		15.00

“Section 23. The fees for examination, licenses and certificates, as provided for in this act, shall be paid in advance to the secretary of the board, and by him paid each month into the state treasury to the credit of a fund for the use of the said board. On failure to pass an examination the fees shall not be returned to the applicant, but within the year after such failure he or she may present himself or herself and be again examined without the payment of an additional fee. re-examined by the payment of the re-examination fee as hereinafter provided for. No fees for licenses or permits shall be refunded after payment has been made.

“Section 28. The holder of a certificate or license issued by said board as provided in this act, who continues in active practice of said profession within the meaning of this act, shall annually on or before the 1st day of October, renew his or her certificate or license and pay the renewal fee. A certificate or license which has not been renewed prior to the 31st day of October in that year, shall expire on the 1st day of November in that year. The holder of the expired certificate or license may have within three (3) years of the date of the expiration, the certificate restored upon the payment of the required renewal fee and satisfactory proof of his or her qualifications to resume practice or profession. The restoration fee shall be as follows. The sum of the accumulated annual

In the title, page 1, line 27, after the number "9," insert the following number: 10,

In Section 1, line 36, page 1, after the number "9," insert the following number. 10,

On page 5 following paragraph (n) ending on line 12, insert the following paragraph.

"(o) 'Shampoo Assistant' shall mean any person who engages only in the practices of shampooing or cleaning the hair of any person and applying temporary weekly color rinses.

On page 12 following the paragraph ending on line 17, insert the following:

"Section 10. (a) It shall be necessary for any person, firm, corporation or association to apply to the Board for a certificate of registration as a registered beauty shop or school of cosmetology, within the meaning of this Act, said application to be upon a form prescribed by the Board, and shall be accompanied by the payment of the original registration fee, as hereinafter provided for. Any beauty shop or school of cosmetology shall after the effective date of this Act fully comply with all the provisions of the Act applicable thereto, and with all the rules and regulations promulgated by the Board as hereinafter provided.

"(b) No beauty shop shall accept an apprentice unless such beauty shop be in charge of a managing cosmetologist licensed as such. Provided, further, that such shop may register one additional apprentice for each three additional licensed cosmetologists attached to its staff. In addition, such shop shall possess the necessary apparatus and equipment for the proper instruction in all subjects for the practices for which a license is required under this Act, and shall maintain a daily record of the attendance of such apprentice or apprentices, together with the number of hours of apprenticeship, and shall certify to the Board upon termination of such apprenticeship, the credits earned. Such instruction shall require the necessary training for a complete course comprising all or the majority of the practices of cosmetology as provided in Section 9, Paragraphs a and b of this Act and such course shall include practical demonstrations and theoretical studies and studies in sanitation, sterilization, and other safety measures, and the use of antiseptics, cosmetics and electrical appliances, consistent with the practical and theoretical requirements as applicable to cosmetology, as provided for in this Act.

"(c) Any beauty shop registered or licensed under this Act is authorized to employ a shampoo assistant who shall be under the supervision of the managing cosmetologist, provided such person is at least 16 years of age and submits to the managing cosmetologist a certificate of health as is required by Section 12 of this Act. It is further provided that any such beauty shop that employs a shampoo assistant shall immediately file with the board the name and age of such person together with the person's certificate of health and the payment of a registration fee as hereinafter provided for. The board shall then cause the appropriate information to be entered in a register kept for that purpose.

"(e) (d) Any person, firm or corporation teaching any or all of the practices of cosmetology, shall be required to comply with all provisions applicable to schools of cosmetology or to beauty shops having apprentices and any and all rules which may be promulgated by the Board. No school of cosmetology or beauty shop shall operate within this State unless a proper certificate of registration under this Act has first been

obtained. The practice of cosmetology shall not be followed in this State except in a duly registered beauty shop or school of cosmetology except for educational purposes.

On page 15 following the words, phrases and numbers ending on line 16 insert on the line following the following words, phrases and numbers:

Beauty Shop, registration fee for Shampoo
Assistant 10.00

In the title, page 1, line 27, after the word "further" insert the following words and phrases:

the Title and

In the title, page 1, line 28, delete the words and figures, "and 28" and insert in lieu thereof the following words and figures:

, 28 and 32 1/2

In the title, page 1, line 33, delete the word "and" at the end of the line.

In the title, page 1, line 34, delete the period (.) and after the word "cosmetology" insert the following words and phrases:

; and to make the act effective in all counties of the state.

In Section 1, line 36, page 1, after the word and figure "Section 1." insert the following words:

The Title and

In Section 1, line 37, page 1, delete the words and figures "and 28" and insert in lieu thereof the following words and figures:

, 28 and 32 1/2

In Section 1, line 38, page 1, after the word "follows:" insert the following words and phrases:

"AN ACT To regulate the teaching and practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census; requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor; to repeal Act No. 653, General Acts 1957, Regular Session, page 981, as amended by Act No. 633, General Acts 1959, Regular Session, page 1540, which regulated the teaching and practicing of cosmetology.

In Section 1, line 22, page 6, after the word "counties—" insert the following:

Jefferson,

In Section 1, line 26, page 17, delete the quotation mark (") at the end of the sentence and insert the following paragraph:

"Section 32 1/2. This Act shall become effective in all counties having a population of less than 600,000, according to the last or any subsequent federal decennial census unless within 6 months after the ef-

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fective date of this Act a writing subscribed to by the Judge of Probate and the County governing body requesting not to come under the provisions of this Act and upon the adoption of a resolution by a majority vote of the board of revenue, court of county commissioners, or other like governing body of the county, whereby the county elects not to come under the provisions of said Act. The resolution, together with the proceedings had in connection with the passage thereof, shall be entered in the minute book of the county governing body and copies of said resolution, duly certified to by the chairman or presiding officer of the county governing body, shall be forthwith forwarded by the chairman or presiding officer of said county governing body to the Executive Secretary of the Alabama Board of Cosmetology and copy of said resolution shall also forthwith be published in a newspaper published in said county once a week for four consecutive weeks. Should the county governing body of a county which has elected not to come under the provisions of this Act, as herein provided, desire to accept the provisions thereof, it may do so by resolution to this effect unanimously adopted by said county governing body. Said resolution shall be entered upon the minutes of the governing body of the county and copies thereof, duly certified to by the chairman or presiding officer of the county governing body, forthwith be forwarded to the Board of Cosmetology. Notice of the action of the county governing body to accept the provisions of this Act shall also be given forthwith by publication of said resolution in a newspaper published in said county once a week for four consecutive weeks."

Amend H. 794 as follows:

On page 1, line 33, by inserting before the word "compensation" the following word and punctuation: number,

On page 5, line 37, by striking out the word "seven" and inserting in lieu thereof the word nine

On page 6, line 30 by inserting, after the word "Jackson" the following language:

; two members shall reside in Jefferson County

Amend H. 794 as follows:

On pages 15 and 16, line 10 on page 15 to line 15 on page 16, by striking out amended Section 16 entirely

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Owens, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 794, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 66; Nays 4.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Gregg, Harris, Hill, Hines, Holmes (A), Jackson (F), Johnson, Johnstone, Kelley, Kinsey, Lee, Lewis, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Owens, Pegues, Plaster, Porter, Quarles, Rich, Riddick, Roberts,

Robertson, Sandusky, Sasser, Shoemaker, Smith (J), Sonnier, Starkey, Taylor, Venable, Waggoner, Warren, Weeks, Whatley, Williams, Wyatt and Younce.

—66

Nays:

Messrs.: Andrews, Boles, Brindley, Falkenburg, Hall, Hilliard, Holmes (D), Killian, Leonard, McNair, Moore (O), Trammell, Tucker and Turnham.

And the bill:

H. 794. To amend further Sections 1, 4, 6, 7, 9, 10, 11, 12, 14, 16, 23 and 28 and to repeal Section 29 of Act No. 78, S. 72, Special Session 961 (Acts 1961, p. 1955), relating to cosmetology in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census, so as to further provide for the service area, compensation and expenses of members of the board; and to further regulate the teaching and practice of cosmetology.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 63; Nays 16.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Harris, Holmes (A), Jackson (F), Johnson, Johnstone, Kelley, Kinsey, Lee, Lewis, Lockett, Lutz, McMillan, Manley, Martin, Merrill, Mitchem, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Sonnier, Starkey, Taylor Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—63

Nays:

Messrs.: Andrews, Boles, Brindley, Falkenburg, Hall, Hill, Hilliard, Holmes (D), Hopping, Jackson (R), Killian, Leonard, McCluskey, Trammell, Tucker and Turnham.

—16

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 646. To amend Section 12 of Act No. 2479, H. 2083, Regular Session 1971, known as the Alabama Worthless Check Act, to make the offenses in Category III and any third and subsequent offense in Category II a felony, with a mandatory fine and prison sentence for third and subsequent offenses; and to require the courts to order restitution as a part of all sentences, and to require court costs to be assessed to the defendant.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Rich, the House concurred in and adopted the Senate amendment to the bill, H. 646, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating further to penalties for persons convicted pursuant to the "Alabama Worthless Check Act" [Act No. 2479, H. 2083 of the 1971 Regular Session (Acts 1971, p. 3958)], and prescribing that the courts shall order any person convicted thereunder to make restitution and to pay the court costs.

Be It Enacted by the Legislature of Alabama:

Section 1. Any court upon passing sentence upon a person convicted of any offense, pursuant to the definitions and provisions of the "Alabama Worthless Check Act" [Act 2479, H. 2083 of the 1971 Regular Session (Acts 1971, p. 3958)], shall order such person to make full and immediate restitution to the plaintiff or complaining party. All court costs shall be taxed to the convicted defendant.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Cross, Crowe, Drake, Falkenburg, Ford, Glass, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Kelley, Kennedy, Killian, Leonard, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sasser, Smith (B), Sonnier, Starkey, Taylor, Trammell, Waggoner, Warren, Weeks, White, Williams and Younce.

—64

And the bill:

H. 646. Relating further to penalties for persons convicted pursuant to the "Alabama Worthless Check Act" [Act No. 2479, H. 2083 of the 1971 Regular Session (Acts 1971, p. 3958)], and prescribing that the courts shall order any person convicted thereunder to make restitution and to pay the court costs.

As thus amended, was again read at length and passed.

Yeas 77; Nays 3.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Brindley, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass,

Goodwin, Greer, Gregg, Hall, Harris, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Younce and Ward.

—77

Nays: Messrs.: Hill, Hilliard and McNair.

—3

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 327. To provide penalties for habitual felony offenders by progressively increasing the class of felony and resulting sentence following conviction of a previous felony conviction.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF THE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 483. To provide for and further regulate salaries payable to certain state officers.

Also:

H. 42. To authorize the incorporation with respect to the several counties in this state, of nonprofit public corporations for the purpose of acquiring, enlarging, improving, replacing, expanding, owning, leasing and disposing of properties for the purpose of promoting industry, developing trade, and furthering the use of agricultural, natural and human resources; to provide for the issuance by any such corporation of interest bearing revenue bonds and other interest bearing revenue securities payable solely out of the revenues and receipts from any such properties; to authorize the refunding of any such bonds or securities; to exempt from all taxation in this state each such corporation, its property, corporate activities, income, revenues, securities, the income from its bonds or securities, and conveyances, leases and mortgages to which such corporation is a party; to exempt such corporations from the laws of the state governing usury or prescribing interest rates; to exempt such corporations and

all contracts made by it from the laws which provide for competitive bids in connection with certain contracts; to authorize certain conveyances to any such corporation by certain other public corporations and the assumption of the indebtedness thereof.

Also:

H. J. R. 619. COMMENDING THE NATIONAL ASSOCIATION OF BLACK MANUFACTURERS, INC., FOR HOLDING THEIR ANNUAL CONFERENCE IN TUSKEGEE, ALABAMA.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 684. To amend Sections 39, 40 and 41 of Title 8, Code of Alabama of 1940, by providing for certain increases in non-resident fishing license fees; establishing an issuance fee for non-resident licenses; providing for the distribution of the revenue obtained by such increase, and provides for the deletion of any reference as to race from the application for said licenses.

Also:

H. 650. To amend Act No. 751, Acts of Alabama, 1965 Regular Session, relating to the cost of purchasing non-resident hunting licenses, exempting non-residents under the age of sixteen (16) from having to purchase hunting licenses.

Also:

H. 572. To make an appropriation from the State General Fund to the Alabama Travel Council for the remainder of the fiscal year ending September 30, 1977.

Also:

H. 442. To provide for the partial participation of certain retired employees of the Cooperative Extension Service of Auburn University retired under Federal Civil Service Retirement in the state employees' retirement system under the provision of Act No. 697, H. 1601, Regular Session 1975 (Acts 1975, Vol. III, p. 1451), upon such employees making a certain contribution to the employees' retirement system; and to appropriate from the Alabama Special Education Trust Fund such additional sums as necessary to implement the provisions of this Act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 669. To name the new National Guard Armory in Guntersville, Alabama, "The Robert M. Kelley, Jr. National Guard Armory."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1002. To amend Sections 2, 3, 4 and 5 of Act No. 808, H. 1728, 1975 Regular Session [Acts of 1975, Vol. III, p. 1635; now appearing in Code of Alabama 1940, Recompiled 1958, Title 13, Section 125 (271)-(27n)] relating to certain officials and their salaries within the Seventh Judicial Circuit; so as to increase the salary allowable for deputy district attorneys and to establish the position of office administrator, fix his salary and provide for the payment thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Dial, the House non-concurred in the Senate amendment to the bill, H. 1002, said Senate amendment being as follows:

Amend House Bill 1002 by deleting in the synopsis on page 1, line 21 the words:

"state general fund"

and insert in lieu thereof the following:

"general funds of the counties which comprise said judicial circuit."

Further amend the bill by deleting in Section 5 on page 3, line 6 the words:

"state general fund"

and insert in lieu thereof the following:

"general funds of the counties which comprise said judicial circuit."

On motion of Mr. Dial, a Committee on Conference was appointed on the disagreement of the two Houses on the Senate amendment to the bill, H. 1002.

The Speaker appointed as the Committee on Conference on the part of the House, Messrs. Merrill, Holmes (D) and Dial.

SPECIAL ORDER RESUMED
MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Kinsey, the rules were suspended in order to take up out of order the bill, S. 722.

And the bill:

S. 722. To provide further for the compensation of the Director of the Legislative Reference Service.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (C), Smith (J), Sonnier, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Weeks, White, Williams, Wyatt and Younce.

—85

H. R. 575 RESUMED

The resolution, H. R. 575, which previously was temporarily postponed was again taken up.

The question was again on the motion offered by Mr. Holley to consider the motion to reconsider the resolution, H. R. 575, offered by Mr. Callahan, and the motion to consider was lost.

Yeas 40; Nays 40.

Yeas:

Messrs.: Baker, Callahan, Carter, Cooper, Crawford, Cross, Folmar, Ford, Glass, Gregg, Hall, Hill, Hilliard, Holley, Holmes (A), Hopping, Howard, Johnson, Johnstone, Kennedy, Kinsey, Leonard, Lutz, McCulley, McMillan, Martin, Plaster, Rich, Roberts, Sandusky, Shoemaker, Smith (B), Smith (M), Sonnier, Taylor, Weeks, Whatley, Williams, Wyatt and Younce.

—40

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Reed voting "Yea" on the resolution, H. R. 575, after the Speaker had announced the vote.

Nays:

Messrs.: Armstrong, Barron, Brindley, Buskey, Campbell, Carothers, Cates, Clark, Coburn, Crowe, Dial, Edwards, Falkenburg, Gafford, Greer, Harris, Hines, Jackson (F), Killian, Lewis, Lockett, McCluskey, McNair, Manley, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Riddick, Robertson, Smith (C), Smith (J), Tucker, Turnham, Venable, Waggoner and White.

—40

SPECIAL ORDER RESUMED

And the bill:

S. 62. To authorize and provide for the issuance of revenue bonds for the purpose of providing for the construction, reconstruction, improvement, alteration, enlargement and equipment of public office building facilities and of annexes, additions and enlargements of such buildings and for the acquisition of sites therefor; to authorize and provide for the establishment of a public corporation, to be known as the Alabama Capitol Building Authority, to issue such bonds; to provide that a part of the proceeds of such bonds shall be used by the authority established hereunder for the purpose of maintaining such public office building or buildings for the legislative branch of the government of the State of Alabama, that a part of such proceeds shall be used by the Alabama Building Authority for the purpose of constructing, altering and improving the public office building facilities heretofore constructed by such authority or for constructing and equipping of annexes, additions or enlargements of such building, and the remainder of the proceeds of such bonds shall be used by the Alabama Building Finance Authority for the purpose of constructing, altering and improving public office building facilities heretofore constructed by such authority or for constructing and equipping of annexes or additions to such buildings; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of such bonds; to provide that all properties procured, constructed or improved or enlarged with the proceeds of any bonds hereby authorized and the income therefrom and all bonds issued pursuant to this act and the income therefrom and all leases made and all lien notices filed relative to buildings or additions constructed, altered, improved or equipped pursuant to this act, shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the several authorities, respectively, and shall not create an obligation or debt of the state; to provide that any bonds issued pursuant to this act may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds issued pursuant to this act; to provide for the construction of public office building facilities, the alteration, construction of annexes or additions to and improvement of public office building facilities and for the equipment of such facilities or additions thereto by the several authorities above listed; to authorize the conveyance to each of said authorities of lands owned by the State; to create a reserve fund for the benefit of the bonds issued pursuant to this act; to authorize the authority established hereunder to pledge such revenues from any facilities constructed under authority of this act as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the state treasurer shall be the custodian of the funds of the authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, and private parties of space for occupancy in said facilities or additions thereto; and to authorize publication of notice of each resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge.

Which was temporarily postponed as amended and with pending substitute on the twenty-ninth legislative day, was taken up.

The question was then on the substitute offered by Mr. Moore (W) to the bill, S. 62 as amended, on the twenty-ninth legislative day.

MOTION TO POSTPONE TABLED

On motion of Mr. Moore (W), the motion offered by Mr. Callahan to temporarily postpone further consideration of the bill, S. 62 as amended and with pending amendment, was tabled.

Yeas 44; Nays 25.

Yeas:

Messrs.: Albright, Barron, Brindley, Buskey, Campbell, Carothers, Carter, Coburn, Crawford, Drake, Goodwin, Greer, Gregg, Hill, Hilliard, Holmes (D), Jackson (F), Johnstone, Killian, Lee, Leonard, Lewis, Lockett, Lutz, McNair, Martin, Moore (O), Moore (W), Naramore, Owens, Plaster, Quarles, Riddick, Sasser, Smith (B), Smith (C), Starkey, Tucker, Turnham, Warren, Weeks, Whatley, White and Wyatt.

—44

Nays:

Messrs.: Baker, Callahan, Clark, Cross, Hall, Harris, Hines, Holmes (A), Kennedy, Kinsey, McCulley, McMillan, McNees, Manley, Morris, Pegues, Rich, Roberts, Sandusky, Shelton, Shoemaker, Smith (M), Sonnier, Taylor and Younce.

—25

MOTION TO RECESS LOST

The motion offered by Mr. Smith (J) that the House recess until 11:50 o'clock p.m., was lost.

Yeas 6; Nays 75.

Yeass Messrs.: Brindley, Buskey, Clark, Hilliard, Lee and McNair. —6

Nays:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnstone, Kennedy, Killian, Kinsey, Leonard, Lewis, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (M), Sonnier, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Wyatt, Younce and Ward.

—75

S. 62 RESUMED

SUBSTITUTE ADOPTED

The question was then on the adoption of the substitute offered by Mr. Moore (W), to the bill, S. 62 as amended, and the substitute was adopted.

Yeas 80; Nays 7.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper,

Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hilliard, Hines, Holmes (D), Jackson (F), Johnstone, Kennedy, Killian, Kinsey, Lewis, Lockett, Lutz, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Wyatt, Younce and Ward.

—80

Nays:

Messrs.: Buskey, Hall, Holley, Holmes (A), Leonard, McCluskey and Shelton.

—7

And the bill; S. 62 as thus amended, was read a third time at length and passed.

Yeas 76; Nays 6.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Greer, Gregg, Harris, Hill, Hilliard, Hines, Howard, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, Martin, Merrill, Mitchem, Moore (O), Moore (W), Pegues, Plaster, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Taylor, Trammell, Tucker, Turnham, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Ward.

—76

Nays:

Nays: Messrs.: Hall, Holley, Holmes (A), Manley, Morris and Quarles.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 482. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1978.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 522. DIRECTING AN IMMEDIATE CESSATION OF MASS MAILINGS TO STATE LEGISLATORS BY ALL STATE AGENCIES INCLUDING COLLEGES, TRADE SCHOOLS AND UNIVERSITIES.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO RECONSIDER LOST

Having voted on the prevailing side, Mr. Tucker offered the motion to reconsider the vote by which the bill, S. 62 as amended, was passed, and the motion to reconsider was lost.

Yeas 24; Nays 46.

Yeas:

Messrs.: Brindley, Buskey, Callahan, Cooper, Crowe, Hall, Johnstone, Kennedy, Killian, Leonard, Lewis, McCulley, McNair, Manley, Morris, Pegues, Quarles, Rich, Sasser, Shoemaker, Smith (J), Tucker, Warren and Younce.

—24

Nays:

Mr. Speaker, Albright, Armstrong, Biddle, Campbell, Carothers, Carter, Cates, Crawford, Cross, Dial, Drake, Falkenburg, Ford, Gafford, Greer, Gregg, Harris, Hill, Hines, Kelley, Kinsey, Lockett, Lutz, McCluskey, McMillan, Martin, Merrill, Mitchem, Moore (O), Moore (W), Plaster, Robertson, Sandusky, Smith (B), Smith (C), Sonnier, Starkey, Trammell, Turnham, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—46

SPECIAL ORDER RESUMED

And the bill:

S. 125. To prohibit the sale or use of an article with an altered or obliterated identification mark and to provide penalties therefor.

Was taken up.

MOTION TO POSTPONE TABLED

On motion of Mr. Owens, the motion offered by Mr. Johnstone to postpone temporarily consideration of the bill, S. 125, was tabled.

Yeas 49; Nays 28.

Yeas:

Mr. Speaker, Biddle, Callahan, Campbell, Carothers, Carter, Clark, Crawford, Cross, Crowe, Dial, Edwards, Ford, Gafford, Glass, Harris, Holmes (D), Jackson (F), Johnson, Kelley, Kinsey, Lutz, McMillan, McNees, Martin, Moore (O), Owens, Pegues, Plaster, Rich, Riddick, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Sonnier, Starkey, Trammell, Turnham, Waggoner, Warren, Weeks, Whatley, White, Williams, Younce and Ward.

—49

Nays:

Messrs.: Albright, Armstrong, Barron, Buskey, Cates, Cooper, Drake, Falkenburg, Greer, Hall, Hill, Hilliard, Holmes (A), Howard, Johnstone, Kennedy, Leonard, Lockett, McCluskey, McNair, Manley, Merrill, Mitchem, Morris, Quarles, Roberts, Smith (J), and Wyatt.

—28

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Owens to suspend the rules in order to take up out of order the bill, S. 125, was lost, lacking a four-fifths vote.

Yeas 46; Nays 37.

Yeas:

Mr. Speaker, Baker, Brindley, Callahan, Carothers, Carter, Clark, Crawford, Cross, Crowe, Dial, Edwards, Gafford, Glass, Goodwin, Holmes (D), Howard, Jackson (F), Johnson, Kelley, Kinsey, Lee, Lewis, McMillan, McNees, Martin, Mitchem, Moore (O), Owens, Plaster, Rich, Riddick, Sandusky, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Trammell, Turnham, Warren, Weeks, Whatley, White and Williams.

—46

Nays:

Messrs.: Albright, Armstrong, Barron, Biddle, Boles, Buskey, Campbell, Cates, Cooper, Drake, Falkenburg, Greer, Hall, Harris, Hill, Hilliard, Holmes (A), Johnstone, Kennedy, Killian, Leonard, Lockett, Lutz, McCluskey, McNair, Manley, Merrill, Morris, Pegues, Quarles, Robertson, Sasser, Shelton, Smith (J), Waggoner, Wyatt and Younce.

—37

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Merrill, the rules were suspended in order to take up out of order the bill, S. 135.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Greer, Gregg, Hall, Harris, Hill, Hines, Holmes (A), Holmes (D), Howard, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris,

REGULAR SESSION
30th Day

2733

Owens, Pegues, Plaster, Quarles, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—86

And the bill:

S. 135. To appropriate \$35,000.00 from the Alabama Board of Nursing Trust Fund in the State Treasury to the Alabama Board of Nursing for the current fiscal year ending September 30, 1977, for purchasing replacement office equipment and furniture and additional equipment and furnishings necessitated by the move of and expansion of the Board office.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Jackson (F), Johnson, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Tucker, Turnham, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—86

And the bill:

S. 345. To authorize and direct the Alabama Board of Nursing to promote continuing education for nurses, and to make an appropriation to the Alabama Board of Nursing to fund the development and production of continuing nursing education programs, seminars and workshops for nurses.

Was taken up.

S. 345 INDEFINITELY POSTPONED

On motion of Mr. Merrill, the bill, S. 345, was indefinitely postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Crowe, the rules were suspended in order to take up out of order the bill, S. 427.

Yeas 82; Nays 7.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holmes (D), Howard, Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McCluskey, McMillan, McNees, Manley, Martin,

Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Plaster, Quarles, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Starkey, Taylor, Trammell, Tucker, Turnham, Waggoner, Warren, Weeks, Whatley, White, Wyatt, Younce and Ward.

—82

Nays:

Messrs.: Barron, Buskey, Kennedy, Lutz, McNair, Sonnier and Williams.

—7

And the bill:

S. 427. To further authorize each District Attorney to employ assistants to be paid from funds appropriated or otherwise available for that purpose and to provide for the submission of a unified budget for the funding of the Office of District Attorney of the several Judicial Circuits.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Howard, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Tucker, Turnham, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—91

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Gafford, the rules were suspended in order to take up out of order the bill, S. 824.

Yeas 82; Nays 2.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Leonard, Lutz, McCluskey, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Morris, Owens, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Tucker, Turnham, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—82

Nays: Messrs.: Manley and Robertson.

—2

MOTION TO POSTPONE TABLED

On motion of Mr. Gafford, the motion offered by Mr. Manley to temporarily postpone further consideration of the bill, S. 824, was tabled.

Yeas 41; Nays 25.

Yeas:

Messrs.: Albright, Armstrong, Biddle, Buskey, Callahan, Carter, Clark, Coburn, Cooper, Dial, Drake, Edwards, Gafford, Glass, Goodwin, Gregg, Hill, Holmes (D), Jackson (F), Johnstone, Kennedy, Killian, Lee, Lutz, McMillan, Martin, Moore (O), Morris, Pegues, Plaster, Riddick, Shelton, Shoemaker, Smith (C), Trammell, Turnham, Waggoner, Warren, White, Younce and Ward.

—41

Nays:

Messrs.: Baker, Barron, Brindley, Campbell, Crowe, Ford, Greer, Hall, Harris, Hilliard, Holley, Kelley, Leonard, Lewis, Lockett, Manley, Mitchem, Rich, Robertson, Sasser, Smith (B), Smith (J), Tucker, Williams and Wyatt.

—25

And the bill:

S. 824. To amend Paragraph 12 of Section 10-105, Act No. 549, Acts of Alabama, 1965 Regular Session of the Alabama Legislature (Title 51, §619, Code of Alabama) so as to provide an alternative procedure for the recording of instruments on which there may be future indebtedness by any owner which is a bank, savings and loan association, insurance company or other financial institution organized and established under the laws of the State of Alabama and the United States.

Was taken up.

AMENDMENT OFFERED

Mr. Gafford offered the following amendment to the bill, S. 824:

Amend S. B. 824 on page 4, line 28, by adding after the word "indebtedness" the following:

Each probate judge will forward to the State Banking Department by the end of October a statement showing the amounts certified to him by each forenamed organization. The State Banking Department will then have the authority to make unannounced audits on any organization electing to use this system of reporting indebtedness. Any organization which is found to have willfully certified less than the true amount it should have certified, will be required to pay a fine equal to three times the amount of tax due on the amount of indebtedness not certified to the probate judge. This fine will be paid into the General Fund of Alabama. In addition, any organization so fined must pay an auditing fee in accordance with established Banking Department audit fees into the funds of the State Banking Department.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 63; Nays 1.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carter, Clark, Crawford, Cross, Dial, Drake, Ed-

wards, Falkenburg, Folmar, Ford, Gafford, Greer, Gregg, Hall, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Johnson, Johnstone, Kennedy, Killian, Kinsey, Lee, Leonard, Lutz, McMillan, McNair, McNees, Manley, Martin, Merrill, Moore (O), Morris, Pegues, Reed, Rich, Roberts, Sandusky, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Trammell, Waggoner, Warren, Whatley, White, Williams, Younce and Ward.

—63

Nay: Mr. Wyatt.

—1

And the bill, S. 824 as thus amended, was read a third time at length and passed.

Yeas 73; Nays 3.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Jackson (F), Johnstone, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McMillan, McNair, McNees, Martin, Merrill, Moore (O), Morris, Owens, Pegues, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—73

Nays: Messrs. Howard, Johnson and Manley.

—3

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 722. To provide further for the compensation of the Director of the Legislative Reference Service.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

S. 473 TEMPORARILY POSTPONED

On motion of Mr. Manley, the bill, S. 473, was temporarily postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Manley, the rules were suspended in order to take up out of order the bill, S. 855.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn,

30th Day

Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Holley, Holmes (D), Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—88

And the bill:

S. 855. To amend Section 6-4-20 of Act No. 20, H.B. 100, 1977 Regular Session, to provide for service of process according to the Alabama Rules of Civil Procedure.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—88

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Manley to suspend the rules in order to take up out of order the bill, S. 532, was lost, lacking a four-fifths vote.

Yeas 55; Nays 26.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Boles, Callahan, Carothers, Cates, Clark, Coburn, Cooper, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Harris, Holmes (A), Hopping, Howard, Jackson (F), Johnson, Johnstone, Kennedy, Kinsey, Lee, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Morris, Owens, Plaster, Reed, Riddick, Sandusky, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Venable, Waggoner, Whatley, White and Wyatt.

—55

Nays:

Messrs.: Barron, Brindley, Campbell, Carter, Crawford, Cross, Crowe, Dial, Gregg, Hall, Hilliard, Holley, Holmes (D), Leonard, Lewis, McNair, Moore (W), Pegues, Quarles, Roberts, Smith (C), Taylor, Trammell, Warren, Williams and Younce.

—26

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Rich refrained from voting on the bill, S. 532, due to a conflict of interest.

MOTION TO ADJOURN LOST

The motion offered by Mr. Robertson that the House adjourn sine die, was lost.

Yeas 13; Nays 77.

Yeas:

Messrs.: Brindley, Buskey, Cates, Clark, Crawford, Cross, Folmar, Hilliard, Jackson (R), Lockett, Robertson, Smith (J) and Trammell.

—13

Nays:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Coburn, Cooper, Dial, Drake, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnson, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Owens, Pegues, Plaster, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Taylor, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams, Wyatt, Younce and Ward.

—77

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Hill to suspend the rules in order to take up out of order the bill, S. 182, was lost, lacking a four-fifths vote.

Yeas 67; Nays 28.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Callahan, Campbell, Carter, Coburn, Cooper, Cross, Crowe, Dial, Drake, Edwards, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (R), Johnson, Johnstone, Kennedy, Killian, Lee, Leonard, Lewis, Lutz, McNair, Martin, Mitchem, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Starkey, Taylor, Trammell, Tucker, Turnham, Waggoner, Warren, Whatley, Wyatt, Younce and Ward.

—67

Nays:

Messrs.: Carothers, Cates, Clark, Crawford, Folmar, Gafford, Jackson (F), Kelley, Kinsey, Lockett, McCluskey, McNees, Manley, Merrill, Moore (O), Moore (W), Morris, Owens, Pegues, Robertson, Sasser, Smith (J), Smith (M), Sonnier, Venable, Weeks, White and Williams.

—28

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 646. Relating further to penalties for persons convicted pursuant to the "Alabama Worthless Check Act" [Act No. 2479, H. 2083 of the 1971 Regular Session (Acts 1971 p. 3958)], and prescribing that the courts shall order any person convicted thereunder to make restitution and to pay the court costs.

Also:

H. 669. To name the new National Guard Armory in Guntersville, Alabama, "The Robert M. Kelley, Jr. National Guard Armory."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Rich, the rules were suspended in order to take up out of order the bill, S. 193.

Yeas 80; Nays 15.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Glass, Goodwin, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (R), Johnstone, Kennedy, Killian, Kinsey, Lee, Leonard, Lewis, Lockett, McCluskey, McCulley, McMillan, McNair, McNeas, Martin, Mitchem, Moore (O), Pegues, Plaster, Quarles, Reed, Rich, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Sonnier, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt, Younce and Ward.

—80

Nays:

Messrs.: Crawford, Falkenburg, Gafford, Greer, Gregg, Jackson (F), Johnson, Kelley, Lutz, Manley, Owens, Riddick, Robertson, Sasser and Whatley.

—15

MOTION TO RECONSIDER

Having voted on the prevailing side, Mr. Johnstone offered the motion to reconsider the vote by which the rules were suspended to take up out of order the bill, S. 193.

MOTION TO RECONSIDER TABLED

On motion of Mr. Rich, the motion to reconsider offered by Mr. Johnstone, was tabled.

Yeas 54; Nays 25.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Brindley, Callahan, Carothers, Carter, Cates, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Ford, Gafford, Glass, Hall, Harris, Hill, Holley, Holmes (D), Howard, Kelley, Killian, Kinsey, Lee, Lewis, McNair, McNees, Manley, Moore (O), Moore (W), Pegues, Plaster, Rich, Riddick, Roberts, Sandusky, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Turnham, Venable, Waggoner, Warren, Weeks, White and Wyatt.

—54

Nays:

Messrs.: Baker, Barron, Biddle, Boles, Campbell, Clark, Coburn, Crawford, Goodwin, Greer, Gregg, Hopping, Johnson, Johnstone, Leonard, Lockett, Lutz, McCluskey, Merrill, Mitchem, Robertson, Sasser, Trammell, Whatley and Younce.

—25

And the bill:

S. 193. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended, relating to the mode of amending the Constitution; to repeal and supersede Article XVIII and Amendment No. 24 of said Constitution and all other conflicting provisions thereof.

Was read a third time at length and passed.

Yeas 58; Nays 29.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Brindley, Callahan, Carothers, Carter, Cates, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Folmar, Glass, Goodwin, Hall, Harris, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Howard, Killian, Kinsey, Lee, Leonard, Lewis, McCulley, McMillan, McNees, Mitchem, Morris, Plaster, Rich, Roberts, Sandusky, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, White and Wyatt.

—58

Nays:

Messrs.: Albright, Boles, Buskey, Campbell, Clark, Coburn, Edwards, Greer, Gregg, Hopping, Johnson, Johnstone, Kelley, Lockett, Lutz, McCluskey, Manley, Martin, Merrill, Moore (O), Moore (W), Pegues, Quarles, Riddick, Robertson, Sasser, Whatley, Younce and Ward.

—29

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Rich to suspend the rules in order to take up out of order the bill, S. 260, was lost, lacking a four-fifths vote.

Yeas 51; Nays 38.

Yeas:

Mr. Speaker, Boles, Buskey, Carothers, Coburn, Cross, Crowe, Dial, Drake, Folmar, Ford, Glass, Goodwin, Greer, Hall, Hill, Hines, Holmes (A),

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Holmes (D), Hopping, Howard, Jackson (R), Johnson, Johnstone, Killian, Kinsey, Lee, Leonard, Lewis, Lutz, McCulley, McMillan, McNair, Merrill, Mitchem, Moore (O), Quarles, Reed, Rich, Riddick, Robertson, Shelton, Shoemaker, Smith (B), Starkey, Taylor, Trammell, Tucker, Waggoner, Williams and Wyatt.

—51

Nays:

Messrs.: Albright, Armstrong, Baker, Callahan, Campbell, Carter, Cates, Clark, Crawford, Falkenburg, Gafford, Gregg, Harris, Hilliard, Holley, Kelley, Lockett, McCluskey, Manley, Martin, Moore (W), Morris, Owens, Pegues, Plaster, Roberts, Sandusky, Sasser, Smith (C), Smith (M), Sonnier, Turnham, Venable, Weeks, Whatley, White, Younce and Ward.

—38

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Manley to suspend the rules in order to take up out of order the bill, S. 532, was lost, lacking a four-fifths vote.

Yeas 53; Nays 28.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Boles, Brindley, Buskey, Carothers, Cates, Clark, Coburn, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Harris, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnstone, Jolly, Kinsey, Lee, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Morris, Owens, Plaster, Rich, Riddick, Sasser, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Tucker, Waggoner, White, Williams and Wyatt.

—53

Nays:

Messrs.: Andrews, Baker, Barron, Callahan, Campbell, Carter, Crawford, Cross, Dial, Drake, Gregg, Hall, Holley, Holmes (D), Leonard, McNair, Moore (W), Pegues, Quarles, Reed, Roberts, Robertson, Smith (C), Trammell, Turnham, Warren, Weeks and Younce.

—28

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 794. To amend further the Title and Sections 1, 4, 6, 7, 9, 10, 11, 12, 14, 16, 23, 28 and 32½ and to repeal Section 29 of Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), relating to cosmetology in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census, so as to further provide for the service area, number, compensation and expenses of members of the board; to further regulate the teaching and practice of cosmetology; and to make the act effective in all counties of the state.

And said Bill, H. B. 794, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES

Mr. Albright offered the motion to suspend the rules in order to take up out of order the bill, S. 473.

SUBSTITUTE MOTION OFFERED

Mr. McCulley offered the substitute motion to suspend the rules in order to take up out of order the bill, S. 644.

SUBSTITUTE TO SUBSTITUTE MOTION TABLED

On motion of Mr. Tucker, the substitute offered by Mr. Albright to suspend the rules in order to take up out of order the bill, S. 125, to the substitute motion offered by Mr. McCulley, was tabled.

Yeas 66; Nays 11.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Brindley, Buskey, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Jackson (R), Johnson, Johnstone, Kennedy, Killian, Kinsey, Leonard, Lewis, Lockett, McCulley, McMillan, McNair, Manley, Mitchem, Moore (O), Morris, Plaster, Reed, Rich, Riddick, Roberts, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—66

Nays:

Messrs.: Callahan, Campbell, Coburn, Hopping, Howard, Kelley, McCluskey, Martin, Robertson, Starkey and Whatley.

—11

SUBSTITUTE MOTION ADOPTED

The question was then on the substitute motion offered by Mr. McCulley to suspend the rules in order to take up out of order the bill, S. 644, and the substitute motion was adopted.

Yeas 76; Nays 6.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Buskey, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lewis, Lutz, McCluskey, McCulley, McMillan, Mitchem, Moore (O), Morris, Owens, Plaster, Quarles, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce and Ward.

—76

Nays:

Messrs.: Callahan, Campbell, Howard, Leonard, Manley and Robertson.

—6

And the bill:

S. 644. (With Amendment): Authorizing any natural gas utility to condemn for its use certain interests in land for the underground storage of natural gas; prescribing certain duties of the state oil and gas board in connection with such condemnation; prescribing the procedure for and placing certain limitations on such condemnation; regulating the underground storage of natural gas and providing for protection of the ownership of stored gas, and to amend Section 3(g) of Act No. 352, approved August 23, 1957, (Title 26, Section 179(72) (g) Code of Alabama, as amended) relating to the unit operation of a field for the production of oil or gas.

Was taken up.

SUBSTITUTE OFFERED

Mr. McCulley offered the following substitute to the bill, S. 644 with pending amendment:

A BILL
TO BE ENTITLED
AN ACT

Authorizing any natural gas public utility to condemn for its use certain interests in land for the underground storage of natural gas; prescribing certain duties of the State Oil and Gas Board in connection with such condemnation; prescribing the procedure for and placing certain limitations on such condemnation; regulating the underground storage of natural gas and providing for protection of the ownership of stored gas.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. As used in this act, unless the context requires a different meaning; (a) "underground storage" shall mean storage in a subsurface stratum or formation of the earth; (b) "natural gas" shall mean gas either while in its original state or after the same has been processed and shall include ethane, propane, butanes, pentanes, hexanes, ethylenes, propylenes, butylenes or any mixture of the same; (c) "native gas" shall mean gas which has not been previously withdrawn from the earth; (d) "natural gas public utility" shall mean any person, firm, or corporation authorized to do business in this state and engaged in the business of producing, transporting or distributing natural gas by means of pipe lines into, within or through this state for ultimate public consumption, having the ability to finance to completion the proposed project and having the right of condemnation under the laws of Alabama; (e) "Board" shall mean the Alabama State Oil and Gas Board.

Section 2. Public interest and welfare—Authority of Board. The underground storage of natural gas which promotes conservation thereof, which permits the building of reserves for orderly withdrawal in periods of peak demand, which makes more readily available and economical our natural gas resources to the domestic, commercial and industrial consumers of this state, and which provides a better year-round market to the various gas fields, promotes the public interest and welfare of this state.

Therefore in the manner hereinafter provided the board may find and determine that the underground storage of natural gas as hereinbefore defined is in the public interest.

Section 3. Condemnation of subsurface stratum or formation—Operation of storage facilities—Limitation. Any natural gas public utility may condemn for its use for the underground storage of natural gas any subsurface stratum or formation in any land which the board shall have found to be suitable and in the public interest for the underground storage of natural gas, and in connection therewith may condemn such other interest in property as may be required adequately to examine, prepare, maintain and operate such underground natural gas storage facilities; provided, however, that the right of condemnation of underground sands, formations and strata, granted hereby shall be limited as follows:

(a) If the board affirmatively finds, based upon substantial evidence, that any sand, formation, or stratum is producing or is capable of producing oil in paying quantities, through any known recovery method, then such sand, formation, or stratum shall not be subject to appropriation hereunder;

(b) No gas bearing sand, formation, or stratum shall be subject to appropriation hereunder, unless such sand, formation or stratum has a greater value or utility as a gas storage reservoir for the purpose of insuring an adequate supply of natural gas for any particular class or group of consumers of natural gas, or for the conservation of natural gas, than for the production of relatively small volumes of natural gas which remains therein, provided no gas sand, formation or stratum shall be condemned under the terms of this act when the gas therein is being used for the secondary recovery of oil, unless gas in necessary and required amount is furnished to the operator or operators of the secondary recovery operations for as long as oil is produced in paying quantities in the secondary operations for the recovery of oil at the same cost as that at which gas was being produced at the time of condemnation by the operator of the secondary recovery project or projects.

(c) Only such area of such underground sand, formation or stratum as may reasonably be expected to be penetrated by gas displaced or injected into such underground gas storage reservoir may be appropriated hereunder.

(d) No rights or interests in existing underground gas reservoirs, being used for the injection, storage and withdrawal of natural gas, owned or operated by others than the condemner, shall be subject to appropriation hereunder.

(e) The proposed storage will not endanger lives or property.

(f) The proposed condemnation will not take nor materially interfere with the then existing or future supply of salt to any industry using it as a raw material in the operation of such industry's manufacturing facilities or any enlargement thereof.

(g) Such taking would not interfere with any storage, mining, brining, drilling, manufacturing, or other operation which is presently existing or which will be conducted in the foreseeable future by the owner. "Owner" shall mean the owner of any interest involved whether such ownership be of a fee or a leasehold interest.

(h) The property taken may be used only for the purpose stated in the taking and upon the abandonment of such use of the property, then all of the condemned rights shall revert to the persons from whom said rights were acquired hereunder, their successors, personal representatives, or assigns.

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(i) A majority interest of all rights of the surface interest and a majority interest of all interests in the underground stratum or formation have consented to such use in writing.

(j) The right of condemnation hereby granted shall not include the right to condemn coal lands, other mineral rights or interests therein.

The right of condemnation hereby granted shall be without prejudice to the rights of the owner of said lands or of other rights or interests therein to drill or bore through the underground stratum or formation so appropriated in in such manner as shall comply with orders, rules and regulations of the board issued for the purpose of protecting underground storage strata or formations against pollution and against the escape of natural gas therefrom and shall be without prejudice to the rights of the owner of said lands or other rights or interests therein as to all other uses thereof.

Section 4. Certificate of Board. Any natural gas public utility desiring to exercise the right of eminent domain hereunder as to any sand, formation, or stratum for use for underground storage of natural gas shall, as a condition precedent to the filing of its petition of condemnation in the Probate Court, first obtain from the Board a certificate setting out the approval of said Board for the proposed underground storage and setting out the findings of the Board (a) that the sand, stratum or formation sought to be acquired is suitable in its natural state for the underground storage of natural gas and that its use for such purposes is in the public interest; (b) that the amount of recoverable oil and native gas, if any, remaining therein is not in commercial quantities; (c) that the proposed condemnation is not in violation of the limitations contained in Section 3 above; (d) that the applicant has the financial ability to accomplish the purposes of the condemnation, namely, the storage of natural gas at the location to be condemned and that proof of such financial ability to accomplish the project has been furnished to the Board and the Board has found that the applicant does have such financial ability; (e) that the applicant has the ability to complete the project within a reasonable time; (f) that the applicant is seeking to condemn only so much property and property rights as are actually needed to complete the project and that all property acquired by the proposed condemnation will, in fact, be used in the project; (g) that the proposed storage will not endanger lives or property; (h) that the proposed condemnation will not take nor materially interfere with the then existing or future supply of salt to any industry using it as a raw material in the operation of such industry's manufacturing facilities or any enlargement thereof; (i) that such taking would not interfere with any storage, mining, brining, drilling, manufacturing, or other operation which is presently existing or which will be conducted in the foreseeable future by the owner; (j) that the property taken may be used only for the purpose stated in the taking and upon the abandonment of such use of the property, then all of the condemned rights shall revert to the persons from said rights were acquired hereunder, their successors, personal representatives, or assigns; (k) that a majority interest of all rights of the surface interest and a majority interest of all interests in the underground stratum or formation have consented to such use in writing; provided that the Board shall issue no such certificate until after public hearing is had on application, pursuant to notice served on each owner of any interest sought to be condemned in compliance with notice in civil actions in the Probate Court, that each property owner whose land is to be condemned has been given notice in writing via certified mail, return receipt requested of the application to the Oil and Gas Board, and that notice has been published at least once each week for three successive

weeks in some newspaper of general circulation in the County or Counties where the gas is proposed to be stored, the first publication to be at least 20 days prior to the date of the hearing.

Section 5. Petition to Probate Court—Examination and determination—Subsequent proceedings. Any natural gas public utility having first obtained a certificate from the Board as hereinbefore provided, desiring to exercise the right of eminent domain for the purpose of acquiring property for the underground storage of natural gas shall do so in the manner hereinafter provided. Such natural gas public utility shall present to the Probate Court of the County wherein the land is situated, or to the judge thereof, a petition setting forth the purpose for which the said property is sought to be acquired a description of the property sought to be appropriated and the names of the owners thereof as shown by the records of such County. The petitioner shall file the certificate of the Board as a part of its petition and no order by the Court granting such petition shall be entered without such certificate being filed therewith. The Court or the judge thereof shall examine said petition and determine whether said property is necessary for the underground storage of natural gas as contemplated by this act, and if found in the affirmative, such finding shall be entered of record and subsequent proceedings shall follow the procedure provided for the condemnation of lands and rights of way or easements for public use in Code of Alabama 1940, Title 19, Chapter 1, as amended.

The Board shall issue such orders, rules and regulations as may be necessary for the administration of this act or for the purpose of protecting any such underground storage reservoir, stratum or formation against pollution or against the escape of natural gas therefrom, including such necessary rules and regulations as may pertain to the drilling into or through such underground storage reservoir, stratum or formation.

Section 6. Ownership of gas. All natural gas which has been reduced to possession, and which is subsequently injected into underground storage fields, sands, reservoirs and facilities, shall at all times be deemed the property of the injector, his heirs, successors, or assigns; and in no event shall such gas be subject to the right of the owner of the surface of said lands or of any mineral interest therein, under which said gas storage fields, sands, reservoirs, and facilities lie or of any person other than the injector, his heirs, successors and assigns, to produce, take, reduce to possession, waste, or otherwise interfere with or exercise any control thereover, provided the injector, his heirs, successors, and assigns, shall have no right to gas in any stratum, or portion thereof, which has not been condemned under the provision of this act or otherwise purchased.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this act are hereby repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

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Yeas 68; Nays 6.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Boles, Brindley, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Gafford, Glass, Greer, Hall, Harris, Hill, Hillard, Hines, Holley, Holmes (A), Hopping, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Lewis, Lockett, McCluskey, McCulley, McMillan, Mitchem, Moore (O), Morris, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Trammell, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Younce and Ward.

—68

Nays:

Messrs.: Biddle, Campbell, Leonard, Manley, Moore (W), and Robertson.

—6

And the bill, S. 644 as thus amended, was read a third time at length and passed.

Yeas 61; Nays 14.

Yeas:

Mr. Speaker, Albright, Armstrong, Barron, Biddle, Brindley, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Drake, Falkenburg, Folmar, Gafford, Goodwin, Greer, Gregg, Hill, Hilliard, Holmes (D), Hopping, Johnson, Johnstone, Kennedy, Killian, Kinsey, Lewis, McCluskey, McCulley, McMillan, Manley, Merrill, Mitchem, Moore (O), Morris, Owens, Plaster, Reed, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Sonnier, Starkey, Trammell, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—61

Nays:

Messrs.: Campbell, Dial, Hall, Holmes (A), Howard, Jackson (R), Kelley, Lee, Leonard, Lockett, McNair, Moore (W), Riddick and Robertson.

—14

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 515. Relating to the 9th judicial circuit; to provide a salary increase for the secretaries of the circuit judges, and for the register of the most populous county of the circuit; and to make the provisions of this act retroactive to January 1, 1977.

Also:

S. 45. Providing further for the registration of voters, providing for additional times and places for the meeting of the boards of registrars and amending existing state laws so as to be consistent therewith:

Also:

S. 222. To authorize the Alabama Court of Criminal Appeals to hire three staff attorneys and one stenographer and to pay the necessary

salaries and expenses thereof, in addition to the staff presently employed by said Court; to make an appropriation out of the state general fund to cover said salaries and expenses.

Also:

S. 474. To further amend Title 52, Section 151 of the Code of Alabama of 1940, as amended, which section relates to city boards of education, so as to increase the compensation of certain members in cities having a population of more than 300,000.

Also:

S. 638. To provide for a supplemental salary for the circuit judges and an expense allowance for the District Attorney of the Fourteenth Judicial Circuit; to be paid by the county comprising such circuit, to fix the amount and method of payment of such salary and expense allowance; and to provide that no retirement contributions shall be deducted from the District Attorney's supplemental salary expense allowance.

Also:

S. 823. To amend Section 1 of Act No. 741, H. 1860 of the Regular Session of 1973 (Acts 1973, p. 1100) relating to expense allowances of the chairman and members of the governing bodies of counties having a population of not less than 55,500 nor more than 56,500 according to the 1970 or any subsequent federal decennial census, so as to raise such allowance.

Also:

S. 880. To further amend Section 10 of Act 497 of the Regular Session of the Legislature of 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which establishes a pension system for employees and officers of Jefferson County, Alabama.

Also:

S. 135. To appropriate \$35,000.00 from the Alabama Board of Nursing Trust Fund in the State Treasury to the Alabama Board of Nursing for the current fiscal year ending September 30, 1977, for purchasing replacement office equipment and furniture and additional equipment and furnishings necessitated by the move of and expansion of the Board office.

Also:

S. 427. To further authorize each District Attorney to employ assistants to be paid from funds appropriated or otherwise available for that purpose and to provide for the submission of a unified budget for the funding of the Office of District Attorney of the several Judicial Circuits.

Also:

S. 855. To amend Section 6-4-20 of Act No. 20, H. B. 100, 1977 Regular Session, to provide for service of process according to the Alabama Rules of Civil Procedure.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 1100. Relating to Bibb County; amending the title and Section 4 of Act No. 1381, H. 2294 of the 1971 Regular Session (Acts 1971, Vol. III, p. 2327), as amended, which act pertains to the governing body of the county, and the Sheriff of Bibb County so as to reflect matters of compensation in the title and to increase the monthly expense allowance of certain commissioners, and the Sheriff of Bibb County, payable from the county treasury.

And said Bill, H. B. 1100, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED
MOTION TO SUSPEND RULES

Mr. Callahan offered the motion to suspend the rules in order to take up out of order the bill, S. 426.

PREVIOUS QUESTION

On motion of Mr. Glass, the question was shall the main question now be put, and the motion was lost.

Yeas 38; Nays 42.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Callahan, Carter, Clark, Crawford, Crowe, Drake, Glass, Greer, Gregg, Holley, Holmes (D), Johnson, Johnstone, Kelley, Kennedy, Kinsey, McCulley, McMillan, Martin, Mitchem, Moore (W), Morris, Plaster, Reed, Rich, Roberts, Sandusky, Shoemaker, Smith (M), Sonnier, Waggoner, Warren, Williams and Younce.

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Nays:

Messrs.: Barron, Boles, Brindley, Buskey, Carothers, Cates, Coburn, Cross, Dial, Falkenburg, Folmar, Gafford, Goodwin, Hall, Harris, Hill, Hilliard, Hines, Holmes (A), Hopping, Jackson (R), Killian, Leonard, Lockett, Lutz, McCluskey, McNair, Manley, Merrill, Pegues, Riddick, Robertson, Sasser, Shelton, Smith (B), Smith (C), Starkey, Trammell, Tucker, Turnham, Venable and Wyatt.

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REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1100. Relating to Bibb County; amending the title and Section 4 of Act No. 1381, H. 2294 of the 1971 Regular Session (Acts 1971, Vol. III,

p. 2327), as amended, which act pertains to the governing body of the county, and the Sheriff of Bibb County so as to reflect matters of compensation in the title and to increase the monthly expense allowance of certain commissioners, and the Sheriff of Bibb County, payable from the county treasury.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 824. To amend Paragraph 12 of Section 10-105, Act No. 549, Acts of Alabama, 1965 Regular Session of the Alabama Legislature (Title 51, §619, Code of Alabama) so as to provide an alternative procedure for the recording of instruments on which there may be future indebtedness by any owner which is a bank, savings and loan association, insurance company or other financial institution organized and established under the laws of the State of Alabama and the United States.

McDOWELL LEE,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirtieth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the thirtieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirtieth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 621. COMMENDING AUBURN UNIVERSITY'S HARVEY GLANCE FOR OUTSTANDING ACHIEVEMENT IN TRACK AND FIELD.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 295. Relating to the thirteenth judicial circuit; providing for an additional circuit court judge in such circuit and prescribing the duties, authority, and compensation of such judge.

by a majority of the whole number elected to the Senate, said vote being Yeas 24, Nays 0.

And said Bill, H. B. 295, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 497. CONTINUING THE COMMITTEE CREATED BY ACT NO. 755, H. J. R. 326, OF THE 1976 LEGISLATURE AND POSTPONING THE DAY FOR FILING ITS FINAL REPORT AND EXTENDING THE EXISTENCE OF SAID COMMITTEE.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 295. Relating to the thirteenth judicial circuit; providing for an additional circuit court judge in such circuit and prescribing the duties, authority, and compensation of such judge.

And finds same correctly enrolled with Executive Amendment.

TOM DRAKE,
Chairman.

SIGNING OF THE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 621. COMMENDING AUBURN UNIVERSITY'S HARVEY GLANCE FOR OUTSTANDING ACHIEVEMENT IN TRACK AND FIELD.

Also:

H. J. R. 497. Continuing the committee created by Act No. 755, H. J. R. 326, of the 1976 Legislature and postponing the day for filing its final report and extending the existence of said committee.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 824. To amend Paragraph 12 of Section 10-105, Act No. 549, Acts of Alabama, 1965 Regular Session of the Alabama Legislature (Title 51, §619, Code of Alabama) so as to provide an alternative procedure for the recording of instruments on which there may be future indebtedness by any owner which is a bank, savings and loan association or, insurance company or other financial institution organized and established under the laws of the State of Alabama and the United States.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 794. To amend further the Title and Sections 1, 4, 6, 7, 9, 10, 11, 12, 14, 16, 23, 28 and 32½ and to repeal Section 29 of Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), relating to cosmetology in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census, so as to further provide for the service area, number, compensation and expenses of members of the

board; to further regulate the teaching and practice of cosmetology; and to make the act effective in all counties of the state.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF THE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1312. To alter, rearrange and extend the boundary lines and corporate limits of any city in this state having a population from 2,847 nor more than 2,850 according to the 1970 or any subsequent federal decennial census.

And finds same correctly enrolled with Executive Amendment.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 9:20 a. m., May 16, 1977:

H. 361 (Executive Amendment)
H. 41
H. 596
H. 683
H. 1218
H. 9
H. 643
H. 778
H. 1355

Delivered to the Governor at 6:20 p.m., May 16, 1977:

H. 516
H. 269

H. 419
H. 420
H. 1013
H. 1098
H. 1172
H. 1221
H. 943
H. 1259
H. 1261
H. 1290
H. 7
H. 14
H. 443
H. 444
H. 499
H. 926
H. 1023
H. 950
H. 668
H. 834
H. 878
H. 1101
H. 1133
H. 1269
H. 1270
H. 1325
H. 1342
H. 1365
H. 460
H. 1082
H. 1266
H. 1343
H. 1280
H. 1326
H. 1328
H. 505
H. 506
H. 953
H. 1177
H. 913
H. 1331
H. 1349
H. 1357
H. 1366
H. 1367
H. 1368
H. 1369
H. 1370
H. 1372
H. 450
H. 573
H. 1380
H. 1351
H. 1375
H. 1374
H. 1330
H. 383
H. 1136
H. 1264
H. 1009

REGULAR SESSION
30th Day

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H. 1159
H. 531
H. 1054
H. 193
H. 392
H. 915
H. 111
H. 172
H. 105
H. 449
H. 266
H. 3
H. 587
H. 99
H. J. R. 576
H. J. R. 577
H. J. R. 579
H. J. R. 602
H. J. R. 604
H. 1073 (Executive Amendment)

Delivered to the Secretary of State at 6:20 p. m., May 16, 1977:

H. 194 (Constitutional Amendment)

Delivered to the Governor at 8:50 p. m., May 16, 1977:

H. 843
H. 844
H. 401
H. 285
H. 287
H. 288
H. 310
H. 311
H. 293
H. 220
H. 233
H. 611
H. 1381
H. 1345
H. 806
H. 424
H. 624
H. 340
H. 1332
H. J. R. 541
H. J. R. 614

Delivered to the Governor at 9:35 p. m., May 16, 1977:

H. 481

Delivered to the Secretary of State at 9:35 P.M., May 16, 1977:

H. 1134 (Gov's Veto to the contrary notwithstanding)

Delivered to the Governor at 9:45 p. m., May 16, 1977:

H. 327
H. 483
H. 42
H. J. R. 619

H. 442
H. 572
H. 684
H. 650

Delivered to the Governor at 10:30 P.M., May 16, 1977:

H. 482
H. J. R. 522

Delivered to the Governor at 10:45 P.M., May 16, 1977:

H. 646
H. 669

Delivered to the Governor at 11:50 P.M., May 16, 1977:

H. 1100

Delivered to the Governor at 11:55 P.M., May 16, 1977:

H. 295 (Executive Amendment)
H. J. R. 621
H. J. R. 497

Delivered to the Governor at 11:58 P.M., May 16, 1977:

H. 794
H. 1312 (Executive Amendment)

JOHN W. PEMBERTON,
Clerk.

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30th Day

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HOUSE OF REPRESENTATIVES
STATE OF ALABAMA
REGULAR SESSION, 1977
LOBBYIST REGISTRATION
PURSUANT TO HOUSE RULES 66-74

Name	Name of Firm
William T. Adkins	American Federation of State, County and Municipal Employees
Bob Adwell	Alabama Fraternal Order of Police
Mary Jane Akel	Alabama Education Association
Walter L. Allen	Association Management Services, Inc. Association of Alabama Cemeteries Alabama Natural Gas Association
Doug Amos	Alabama League of Savings Association
J. Knox Argo	Alabama League of Savings Association American Insurance Association The Tobacco Institute
Richard Arrington	Southern Railway Company
C. E. Avinger	Alabama Bankers Association
George F. Bailey, Jr.	Alabama Railroad Association
Carol Baker	Alabama State Policemen's Association, Inc.
Eugene A. Baril	General Telephone Company of the Southeast
Elizabeth A. Barker	Alabama State Nurses' Association
Charles R. Barnes	Alabama Council of Public Service Em- ployees
C. W. Bates	U. S. Pipe and Foundry Company Jim Walter Resources, Inc.
Gary Jay Beers	Alabama Forestry Association
Ann Bell	Board of Registrars—Morgan County
Joseph Parker Bethea	Chevron U. S. A. Inc.
Gary M. Biviano	Alcoa
Eddie Blankenship	City of Birmingham
Frank L. Bonds	Southern Bancorporation
Robert M. Bowick	3M Company
W. I. "Red" Bowman	Alabama Livestock Markets Association
Charles T. Braddock	Brotherhood of Maintenance Way Em- ployees

Stephen E. Bradley	Alabama Press Association
James B. Brand, Jr.	Associated Industries of Alabama
Thelma Braswell	Alabama Education Association
James J. Britton	Alabama Chamber of Commerce
David C. Brown	University of North Alabama
A. A. Bunks	Alabama A & M University
Charles W. Burke	Distilled Spirits Council of U. S.
Richard J. Burrell	Household Finance Corporation
Peter T. Butler	Alabama State Employees Association
Ross L. Byrd	Alabama Bankers Association
John P. Carlton	City of Birmingham
Bruce Carr	Laborers' International Union
John S. Casey	Alabama Railroad Association
Clair Chisler	Conservation Department, State of Alabama
James S. Clark	Central Bancshares of the South
Dan W. Cleckler	First National Bank of Childersburg
Robert M. Cleckler, Sr.	Self—retired bank president
Thomas C. Cole	Alabama Occupational Therapy Association
Joseph E. Conklin	Laborers' Local Union 1314
William J. Cook, Jr.	Hudson-Thompson, Inc.
Jo Ann L. Couch	Alabama State Employees' Association
John L. Cousins	Fraternal Order of Police
Chester R. Cowan, Jr.	City of Graysville
Thomas L. Cox	Carlton, Boles, Clark, attorneys for City of Birmingham
Warren B. Crow, III	Alabama Independent Insurance Agents
Robert B. Crumpton, Jr.	Association County Commissions American Amicable Computer Election Systems
R. J. Cunningham	Alabama Association of Life Underwriters Alabama Hotel and Motel Association
James Rudolph Davidson	University of Alabama—Birmingham
Janet I. Davis	Alabama Education Association
Ledger Diamond	Laborers International Union
Jeffery Blane Dolbare	Alabama Education Association

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Robert C. Dunn	Alabama State Policemen's Association
Thomas M. Eden, III	Waste Away, Inc. Tichner Associates, Inc.
Tom Eden	Alabama Textile Manufacturers' Association
Mayo Jack Elliott	National Federation of Independent Business
Floyd C. Enfinger, Jr.	Chief Justice C. C. Torbert
Sam Engelhardt	Alabama Power Company
Frederick T. Enslen, Jr.	American Insurance Association Tobacco Institute
Jane Fields	Alabama State Policeman's Association
Robert B. Finley	State Department of Public Health
Noah H. Flanagan	United Transportation Union
Jenny C. Flynn	Board of Registrars—Morgan County
Paul Ford	Ford Finance Company
E. C. Foshee	Southeast Contractors
Glen C. Foshee	Montgomery Fire Fighters' Association
Conrad M. Fowler	West Point Pepperell
James Freeman	AFL-CIO
Cecil Frizzle	Hudson-Thompson, Inc. Q-Yellow Stamp Company
Gene Thomas Gaines	Chevron—U. S. A., Inc.
Thomas T. Gallion, III	American Mutual Insurance Alliance
Richard B. Garrett	Automobile Dealers Association of Alabama, Inc.
Leonard M. Gavin, Jr.	United Narcotics Detail Operation
Donald Jackson Gibson	Troy State University—Troy, Alabama
Ivan L. Glaze, Jr.	Homemakers Upjohn
Henry G. Gobeil	Birmingham-Jefferson County Transit Authority
James L. Goyer, Jr.	Collier Cobb and Associates of Alabama, Inc.
Billy Gray	Local Union 117, Birmingham Firefighters
F. Howard Gray, Jr.	Alabama Council for School Administration and Supervision
James A. Gray	Alabama Road Builders Association, Inc.
Lecil Gray	The New Southland National Insurance Company

William L. Green	U. S. Pipe and Foundry Company Jim Walter Resources, Inc.
James H. Groome	Mead Corporation
David L. Groover	Montgomery Fire Fighters' Local 1444
Philip G. Hallam	Alabama Wholesale Beer and Wine Association
D. N. Hamilton	Alabama League of Municipalities American Reciprocal Insurance Association Association of Clerks and Registers
Lowell S. Hamilton	Mental Health Association of Alabama
Reginald T. Hamner	Alabama State Bar
Glenn R. Harger	Alabama State Employees' Association
Ralph W. Havard	Alabama Tax Assessor-Collector Association
Howard E. Hendrix	Alabama Labor Department
Walston Hester	Alabama Consumer Finance Association
William E. Hewlett	Alabama Funeral Directors Association
Georgia M. Hodo	Tuscaloosa County Board of Registrars
Charles R. Holland	State Employees
Edward C. Holland	Alabama State Policemen Association
Daniel C. Holsenbeck	Auburn University—Montgomery
John E. Horne	Alabama Rural Electric Association
Frank L. Hrabe	Gene Oswalt—Alabama Student Association
Paul R. Hubbert	Alabama Education Association
James H. Hudson	Eli Lilly and Company
Miles M. Huffstutler	Jefferson County Courthouse
Robert T. Hydrick	Mead Corporation
Kenneth F. Ingram	Alabama Circuit Judges Association
Robert S. Jamison, IV	Alabama State Policemen's Association
Bruce Jetton	Alabama Trial Lawyers Association
Charles E. Johnson	Mobile Bar Pilots Association
John B. Johnson	Alabama Petroleum Council
J. Reese Johnston, Jr.	Jefferson County Alabama
James V. Jordan, III	Southern Natural Gas Corporation
Jane L. Katz	League of Women Voters of Alabama Coalition Committee for Social Work Licensure

REGULAR SESSION
30th Day

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Cherie E. Kelly	Alabama State Council of the Arts and Humanities
H. Boyd Kelly, Jr.	Alabama Chamber of Commerce
Atley A. Kitchings	South Central Bell Telephone Company
Vernon D. Knight	Alabama Optometric Association, Inc.
William A. Knipe	State of Alabama Employees—Retired Chapter
Michael M. Kumpf	Gulf Oil Corporation
J. E. Lanier	Alabama Road Builders and Alabama Asphalt Association
B. H. Ledlow	Birmingham Firefighters Association
Joseph A. Lehman	Alabama Association of Realtors
Green P. Lewis, Jr.	AFL-CIO
Edwin K. Livingston	Alabama Tax Assessors and Collectors Association Alabama Bus Association
F. Thomas Longerbeam	Motor Vehicle Manufacturers Association
James G. Lovell, Jr.	Southern National Bank—Birmingham
James E. Lowden, Jr.	Alabama Christian Education Association
Dexter Lowery	Public Service Employees Local Union No. 1279
Billy J. Lumpkin	Alabama Fire Fighters Pension Fund Association
Faye Lyle	Board of Registrars—Lawrence County
D. J. McColl	Mobile Bar Pilots Association
Charles McDonald	Alabama Retail Association
Jesse O. McGough	Steelworker Legislative Committee
Tom McGregor	Alabama Gas Corporation
Charles T. Mathews	Alabama Farm Bureau
Ruby B. Middleton	Alabama State Chiropractic Association
John W. Miller	Home Builders Association of Alabama
Largent M. Miller	Alabama-Mississippi Independent Telephone Association
Gilbert Mobley	Associated Industries of Alabama
Charles Richard Moore, Jr.	Council for Advancement of Private Colleges in Alabama
Claude R. Morgan, Jr.	Alabama Labor Department

L. Warren Moseley, Jr.	Alabama Association of Realtors
Mrs. W. N. Muellenbach	Alabama Congress of Parents & Teachers, Inc.
Cecil L. Murphy, Sr.	Patrick Henry State Junior College
J. G. Nash	Alabama Lenders Association
Mrs. Harry Nelson	Alabama Congress of Parents & Teachers, Inc.
Lewis Odom	CIT Financial Corporation American Insurance Association American Tobacco Institute
Jos. Ollinger, Jr.	Mobile Bar Pilots Association
David Ozment	Alabama Poultry and Egg Association
Milton K. Parsons	Alabama Farm Bureau Federation
L. P. Patterson	Alabama Dental Association
J. Ed Pepperman	U. S. Brewers Association, Inc.
Steven F. Perry	Fraternal Order of Police—Lodge No. 6
Earl C. Pippin	Alabama Consumer Finance Association
Carl O. Pilgrim	Council for Advancement of Private Colleges in Alabama
John Curtis Poe	Alabama State Policemen's Association Fraternal Order of Police
Jack Poole, Jr.	Laborers Union Local 784
Fred Posey	Buffalo-Rock Company
Vic Price	Alabama State Employees' Association
William Price	Alabama State Employees' Association
Terry F. Pruitt	Alabama State Employees' Association
James R. Purvis	Public Employee Laborers Local No. 1317
Randy Quinn	Alabama Association of School Boards
William J. Ranieri	Alabama Hospital Association
Smith Rea, Jr.	Associates Capital Corporation Cumberland Capital Corporation
Randolph Pierce Reaves	Council for Advancement of Private Colleges in Alabama Alabama Psychological Association Alabama Dental Association
E. Clark Richardson	Alabama Power Company
Diane Rider	Alabama State Nurses' Association
James I. Ritchie	Alabama Trucking Association
Elbert Robinson, Sr.	Laborers' District Council of Alabama

REGULAR SESSION
30th Day

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Price E. Robinson	Alabama Fire Fighters' Personnel Standards and Education Committee
Perry Crawford Roquemore, Jr.	Alabama League of Municipalities
Robert C. Roton	Retired Alabama State Employees
Robert Steven Rousseau	Fraternal Order of Police—Lodge No. 6
Charles C. Rowe	Jacksonville State University
Marie C. Rushing	Tuscaloosa County Board of Registrars
Robert J. Russell	Alabama Association of Realtors Associated General Contractors of America, Inc. Alabama Veterinary Medical Association National Management, Inc.
Virginia D. Ryan	Alabama State Federation of Teachers
Donald Schmitz	Alabama Counselor Action Association Alabama Personnel and Guidance Association
Wayne F. Schweitzer	Airtransport Association
Curtis P. Sellers	University of Alabama
Cecil D. Sexton	Professional Fire Fighters of Alabama
Philip Thomas Shanks, III	Associated Builders and Contractors of Alabama, Inc.
Philip L. Sharp	American Federation of Teachers
O. H. Sharpless	Association of County Commissions of Alabama
Charles R. Short	Hoffmann-Laroche, Inc.
George O. Sims, Jr.	Geneva County Gas District
T. Julian Skinner, Jr.	Alabama By-Products Corporation
Stanley M. Slater	Alabama Gas Corporation
C. Jackson Slayton	Precision Telecommunications, Inc.
Dr. John L. Smith	Citizen Impact, Inc.
Joseph Wilson Smith	Alabama Chamber of Commerce
Maury D. Smith	U. S. Brewers Association, Inc.
Paul M. Smith Jr.	Alabama Education Association
Philip H. Smith	Talladega College
Reginald Lee Sorrells	Association of County Commissions of Alabama
Joe Edward Sparks	University of Alabama—Huntsville
Steven R. Spier	Public Service Employees Local 1279
Leo T. Spradley	Montgomery Fire Fighters' Association

Curtis H. Springer	Alabama Dairy Products Association
Vernon St. John	NRTA—AARP
Leslie Stifflemire	United Transportation Union
Robert E. Strain	U. S. Steel Corporation
James A. Street	Alabama Council for School Administration and Supervision
Harold E. Streetman	Automobile Dealers' Association of Alabama, Inc.
Gary Strickland	Birmingham Firefighters Association
F. E. Swann	Alabama Fire Fighters' Pension Fund Association
Stephen Teichner	American Dental Hygienists' Association
Frank L. Thiemonge, Jr.	Alabama Safety Council
David M. Tiffany	University of South Alabama—Mobile
Robert D. Timmons	Alabama Sheriffs' Association
Wallace Bancroft Timmons	Alabama Motorists' Association
Asa G. Trammell	Alabama AFL-CIO
J. R. Trawick	Laborers' Local Union No. 784
Adlai Trone	Alabama State Employees' Association
Larry Tyner	Weyerhaeuser Company
K. W. Underwood, Jr.	South Central Bell Telephone Company
Howard R. Vaughan	Liberty National Life Insurance Company
Alvin Bernard VonHagel, Jr.	Birmingham Firefighters Association
F. Neal Wade	Alabama Petroleum Council
James P. Walker	Alabama Education Association
Willis C. Walker	Professional Fire Fighters' Association of Alabama
William F. Ward, Jr.	Self (labor)
Don F. Wasson	Alabama Mining Institute
Betty Jo Watkins	Tuscaloosa County Board of Registrars
John F. Watkins	Alabama League of Municipalities
J. Hilton Watson	Alabama Forestry Association
Robert E. Welch	Montgomery Fire Fighters' Association
Boyd Whigham	Associates Capital Corp. & Cumberland Capital Corp.
Richard C. Whitaker	Medical Association of the State of Alabama

REGULAR SESSION
30th Day

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Charles H. Williams, Jr.	Mid-Continent Oil & Gas Association
E. Ham Wilson	Alabama Cattlemen's Association
William C. Wilson	Collier Cobb and Associates
James Jerry Wood	Council for Advancement of Private Colleges in Alabama Alabama Dental Association
Peter Garland Wood	Allstate Insurance Companies
Philip J. Yacko	Alabama State Employees' Association
Patrick F. Yarborough	Homemakers of Montgomery, Inc.
James O. Yeaman	Automotive Wholesalers' Association of Alabama

ADJOURNMENT

The hour of 12:00 o'clock midnight having arrived and on motion of Mr. Crowe, the House adjourned sine die.

Attest:

JOHN W. PEMBERTON
Clerk of the House of Representatives,
of the Legislature of Alabama,
Regular Session, 1977.

HOUSE OF REPRESENTATIVES

REGULAR SESSION 1977

ALPHABETICAL ROSTER AND DISTRICT NUMBER

Robert E. Albright, 20	Tom Leonard, 37
Richard Andrews, 34	Rufus A. Lewis, 77
Ralph (Buddy) Armstrong, 50	John A. Lockett, Jr., 85
James A. Baker, 66	Hartwell Lutz, 22
Bishop N. Barron, 79	Murray P. McCluskey, 54
Jack Biddle, III, 35	Joe C. McCorquodale, Jr., 92
Hugh Boles, 42	J. Henry McCulley, 96
Joe Brindley, 27	John M. McMillan, Jr., 95
James E. Buskey, 99	Chris McNair, 41
H. L. (Sonny) Callahan, 101	Allen McNees, 6
Frank Campbell, 90	Richard S. (Rick) Manley, 87
Joe R. Carothers, Jr., 71	Charles B. Martin, 8
Tommy Carter, 16	Hugh D. Merrill, 59
Eric O. Cates, Jr., 84	Hinton Mitchem, 25
George N. Clark, 88	Sonny Moore, Jr., 52
Tom C. Coburn, 3	Warren C. Moore, 17
J. Gary Cooper, 103	Larry Morris, 62
Buddy Crawford, 70	Alvis Naramore, 13
Wayland Cross, 7	Walter Owens, 48
Robert T. Crowe, 12	R. Leigh Pegues, 86
Gerald Dial, 60	James J. Plaster, 82
Tom Drake, 10	John T. Porter, 39
William Edwards, 83	Marilyn Quarles, 56
Francis Falkenburg, 32	Thomas Reed, 67
Joel M. Folmar, 68	Kerry Rich, 30
Joe M. Ford, 28	Frank Riddick, 18
Robert C. Gafford, 33	Tommy Ed Roberts, 9
Bob Glass, 105	Edward Robertson (Big Ed), 89
J. W. Goodwin, 4	J. Thomas (Tommy) Sandusky, 100
Lynn Greer, 1	James G. Sasser, 69
Richard Gregg, 19	Tom Shelton, 57
Robert B. (Bob) Hall, 15	Wallace Shoemaker, 55
James D. Harris, Jr., 81	Bill Smith, 21
A. L. (Tony) Harrison, 44	Curtis Smith, 53
G. J. Higginbotham (Dutch), 64	Jack W. Smith, 73
(Elected to senate 2/25/77)	Monroe Smith, 61
Robert M. Hill, Jr., 2	Nat Sonnier, 102
Earl F. Hilliard, 45	John R. Sparks, 11
Leon Brooks Hines, 91	Bethel D. Starkey, 23
Jimmy W. Holley, 74	Hubert L. Taylor, 29
Alvin Holmes, 80	Hoyt W. Trammell, 36
Donald G. Holmes, 58	Jerome Tucker, 43
Jack Hopping, Sr., 40	Pete Turnham, 63
Asbury Howard, 49	Jack Venable, 76
Frank Jackson, 75	J. T. (Jabo) Waggoner, Jr., 51
Ronald E. Jackson, 38	Shelby D. Ward, 64
Roy W. Johnson, Jr., 47	J. E. (Jimmy) Warren, 93
Douglas Johnstone, 104	Paul J. Weeks, 5
Carl Jolly, 14	Charles W. Whatley, 65
Phillip B. (Phil) Kelley, 26	Dr. Dewey White, Jr., 31
Cain J. Kennedy, 98	R. Nolan Williams, 72
Roger Killian, 24	Cecil Wyatt, 78
Daniel L. Kinsey, 94	Dal C. Younce, 97
James G. Lee, 46	

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA
REGULAR SESSION 1977**

OFFICERS

JOE C. McCORQUODALE, JR., *Speaker*, Jackson

ROBERT T. (BOBBY TOM) CROWE
Speaker Pro-Tem, Jasper

JOHN W. PEMBERTON, *Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE	Lynn Greer _____	Rt. 3, Box 102, Rogersville 35652
2	LAUDERDALE	Robert M. (Bob) Hill, Jr.	119 Mobile Street, Plaza, Florence 35630
3	LAUDERDALE, COLBERT, FRANKLIN	Tom C. Coburn _____	1107 E. 3rd St., Tuscumbia 35674
4	COLBERT, FRANKLIN	J. W. (Joe) Goodwin _____	310 Ford Rd., Muscle Shoals 35660
5	FRANKLIN, MARION	Paul J. Weeks _____	P. O. Box 674, Winfield 35594
6	LAMAR, MARION, FAYETTE	Allen McNees _____	Rt. 1, Box 294, Vernon 35592
7	LAWRENCE, MORGAN	Wayland Cross _____	Box D, Courtland 35618
8	MORGAN	Charles B. Martin _____	1716 Camellia Dr., S.W., Decatur 35601
9	MORGAN	Tommy Ed Roberts _____	408 Rock Street, S. E., Hartselle 35640
10	MORGAN, CULLMAN	Tom Drake _____	P. O. Box 36, Cullman 35055
11	CULLMAN, WINSTON	John R. Sparks _____	919 Nunnelly Dr., S.W., Cullman 35055
12	WINSTON, WALKER	Robert T. (Bobby Tom) Crowe _____	Box 2308, Jasper 35501
13	WALKER	Alvis Naramore _____	5th Ave. & 19th Street, Jasper 35501

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 14 **JEFFERSON, BLOUNT**
Carl Jolly _____ P. O. Box 366, Gardendale 35071
- 15 **JEFFERSON**
Robert B. (Bob) Hall _____ Rt. 2, Box 593-W, Pinson 35126
- 16 **LIMESTONE**
Tommy Carter _____ Rt. 2, Elkmont 35620
- 17 **LIMESTONE, MADISON**
Warren C. Moore _____ Rt. 3, Box 875, Huntsville 35806
- 18 **MADISON**
Frank H. Riddick _____ 7804 Lauderdale Drive, Huntsville 35802
- 19 **MADISON**
Richard Gregg _____ 4007 Nelson Drive, Huntsville 35810
- 20 **MADISON**
Robert E. Albright _____ 2024 Stanhope Dr., N.E., Huntsville 35811
- 21 **MADISON**
Bill Smith _____ 2203 Colice Rd., S.E., Huntsville 35801
- 22 **MADISON, JACKSON**
Hartwell Lutz _____ Suite 52, Central Bank Bldg., Huntsville 35801
- 23 **JACKSON**
Bethel D. Starkey _____ P. O. Box 3, Pisgah 35765
- 24 **JACKSON, DeKALB**
Roger Killian _____ P. O. Box 4, Fort Payne 35967
- 25 **DeKALB, MARSHALL**
Hinton Mitchem _____ P. O. Box 297, Albertville 35950
- 26 **MARSHALL**
Phillip B. (Phil) Kelley _____ Rt. 2, Box 486, Guntersville 35976
- 27 **BLOUNT, ETOWAH, MARSHALL**
Joe Brindley _____ Route 8, Box 161, Boaz 35957
- 28 **ETOWAH**
Joe M. Ford _____ 117 Arcade St., Gadsden 35903
- 29 **ETOWAH**
Hubert L. Taylor _____ 2714 Hazel Dr., Gadsden 35901
- 30 **ETOWAH, CHEROKEE**
Kerry Rich _____ Rt. 1, Box 291, Gadsden 35901
- 31 **JEFFERSON**
Dr. Dewey White, Jr. _____ P. O. Box 7685A, Birmingham 35223
- 32 **JEFFERSON**
Francis Falkenburg _____ 1612 Lanark Place, Birmingham 35223

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 33 JEFFERSON
Robert C. (Bob) Gafford — 5345 Division Ave., Birmingham 35212
- 34 JEFFERSON
Richard Andrews — P. O. Box 6061, Birmingham 35209
- 35 JEFFERSON
Jack Biddle, III — 2256 Pinehurst Dr., Gardendale 35071
- 36 JEFFERSON
Hoyt W. Trammell — Rt. 15, Box 247, Birmingham 35224
- 37 JEFFERSON
Tom Leonard — 1725 Windsor Blvd., Homewood 35209
- 38 JEFFERSON
Ronald Edward Jackson — 1605 8th Ave., N., Frazier Bldg.,
Birmingham 35203
- 39 JEFFERSON
Rev. John T. Porter — 1101 Montevallo Rd., S.W., Birmingham 35211
- 40 JEFFERSON
Jack Hopping, Sr. — 2804 Ave. G., Birmingham 35218
- 41 JEFFERSON
Chris McNair — P. O. Box 1851, Birmingham 35201
- 42 JEFFERSON
Hugh Boles — 1036 Normandale Circle, Hueytown 35020
- 43 JEFFERSON
Jerome Tucker — Suite 1722, 2121 Bldg., 8th Ave., N.,
Birmingham 35203
- 44 JEFFERSON
A. L. (Tony) Harrison — 1630 4th Ave., No., Birmingham 35203
- 45 JEFFERSON
Earl F. Hilliard — P. O. Box 11385, Birmingham 35202
- 46 TUSCALOOSA
Jimmy Lee — P. O. Box 2654, Tuscaloosa 35401
- 47 TUSCALOOSA
Roy W. Johnson, Jr. — 4501 20th St., N.E., Tuscaloosa 35401
- 48 TUSCALOOSA, BIBB
Walter Owens — 107 Court Sq., West, Centreville 35042
- 49 TUSCALOOSA, JEFFERSON
Asbury Howard — 1930 Exeter Ave., Bessemer 35020
- 50 JEFFERSON
Ralph (Buddy) Armstrong — 1821 3rd Ave., North, Bessemer 35020

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 51 **JEFFERSON, SHELBY**
James T. (Jabo) Waggoner, Jr. _____ 1829 Mission Rd.,
Birmingham 35216
- 52 **JEFFERSON, SHELBY, TALLADEGA**
Sonny Moore _____ P. O. Box 44, Sterrett 35147
- 53 **CHILTON, SHELBY**
Curtis Smith _____ Rt. 3, Box 118, Clanton 35045
- 54 **COOSA, TALLADEGA**
Murray P. McCluskey _____ Box 599, Sylacauga 35150
- 55 **TALLADEGA**
Wallace Shoemaker _____ 15 Cliff Road, Childersburg 35044
- 56 **ST. CLAIR, CALHOUN**
Marilyn Quarles _____ P. O. Box 214, Springville 35146
- 57 **CALHOUN**
Thomas R. (Tom) Shelton _____ P. O. Box 434, Jacksonville 36265
- 58 **CALHOUN**
Donald G. Holmes _____ 1915 Robinhood Drive, Oxford 36203
- 59 **CALHOUN**
Hugh D. Merrill _____ P. O. Box 1498, Annison 36201
- 60 **CLAY, CLEBURNE, TALLADEGA**
Gerald O. Dial _____ Box 275, Lineville 36266
- 61 **RANDOLPH, CHAMBERS**
Monroe Smith _____ Rt. 1, Box 984, Lanett 36863
- 62 **TALLAPOOSA, CHAMBERS**
Larry Morris _____ Madison St., Alexander City, 35010
- 63 **TALLAPOOSA, CHAMBERS, LEE**
Pete Turnham _____ P. O. Box 1592, Auburn 36830
- 64 **CHAMBERS, LEE**
G. J. Higginbotham (Dutch) _____ (Elected to Senate 2/25/77)
Shelby D. Ward _____ P. O. Box 689, Opelika 36801
- 65 **LEE, RUSSELL, BARBOUR**
Charles W. Whatley _____ Rt. 5, Box 250, Opelika 36801
- 66 **RUSSELL**
James A. Baker _____ 4300 Summerville Road, Phenix City 36867
- 67 **MACON, BULLOCK**
Thomas Reed _____ Drawer EE, Tuskegee Institute 36088
- 68 **PIKE, COFFEE, BULLOCK, BARBOUR**
Joel M. Folmar _____ P. O. Box 325, Troy 36081

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 69 **DALE, BARBOUR, HENRY**
James G. Sasser _____ 1208 Skipperville Rd., Ozark 36360
- 70 **HOUSTON, HENRY, BARBOUR**
Buddy Crawford _____ P. O. Box 129, Abbeville 36310
- 71 **HOUSTON**
Joe R. Carothers, Jr. _____ Rt. 8, Box 33, Dothan 36301
- 72 **DALE**
R. Nolan Williams _____ Rt. 2, Newton 36352
- 73 **GENEVA, COVINGTON, HOUSTON**
Jack W. Smith _____ P. O. Box 728, Dothan 36301
- 74 **COVINGTON, COFFEE**
Jimmy W. Holley _____ Rt. 3, Box 191E, Elba 36323
- 75 **COVINGTON**
Frank Jackson _____ P. O. Box 209, Opp 36467
- 76 **ELMORE**
Jack B. Venable _____ P. O. Box 736, Tallassee 36078
- 77 **MONTGOMERY**
Rufus A. Lewis _____ 801 Bolivar St., Montgomery 36104
- 78 **MONTGOMERY, CRENSHAW**
Cecil L. Wyatt _____ P. O. Box 1, Ramer 36069
- 79 **MONTGOMERY**
Bishop N. Barron _____ P. O. Box 221, Montgomery 36101
- 80 **MONTGOMERY**
Alvin A. Holmes _____ P. O. Box 6064, Montgomery 36106
- 81 **MONTGOMERY**
James D. Harris, Jr. _____ 1406 Union Bank Bldg., Montgomery 36104
- 82 **MONTGOMERY, AUTAUGA, LOWNDES, ELMORE**
James J. Plaster _____ Rt. 1, Box 193, Autaugaville 36003
- 83 **WILCOX, LOWNDES, DALLAS**
William D. Edwards _____ Rt. 1, Box 180A, Ft. Deposit 36032
- 84 **BUTLER, CRENSHAW**
Eric O. Cates, Jr. _____ Rt. 2, Box 222, Greenville 36037
- 85 **DALLAS, AUTAUGA**
John A. Lockett, Jr. _____ P. O. Box 1354, Selma 36701
- 86 **DALLAS, PERRY, MARENGO**
R. Leigh Pegues _____ 202 Early St., Marion 36756
- 87 **MARENGO, SUMTER, HALE, GREENE**
Richard S. (Rick) Manley _____ P. O. Drawer U, Demopolis 36732

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 88 **GREENE, PICKENS, TUSCALOOSA, HALE**
George N. Clark _____ Box 6, Eutaw 35462
- 89 **TUSCALOOSA, PICKENS**
Edward (Big Ed) Robertson _____ P. O. Box 331, Northport 35476
- 90 **SUMTER, CHOCTAW**
Frank Campbell _____ P. O. Box 992, Livingston 35470
- 91 **ESCAMBIA**
L. Brooks Hines _____ P. O. Box 345, Brewton 36426
- 92 **CLARKE, MONROE**
Joe C. McCorquodale, Jr. _____ P. O. Box 535, Jackson 36545
- 93 **MONROE, CONECUH, ESCAMBIA**
James E. (Jimmy) Warren _____ P. O. Box 207, Castleberry 36432
- 94 **BALDWIN**
Daniel L. Kinsey _____ P. O. Box 246, Foley 36535
- 95 **BALDWIN, MOBILE**
John M. McMillan, Jr. _____ P. O. Box 253, Stockton 36579
- 96 **WASHINGTON, MOBILE**
J. Henry McCulley _____ P. O. Box 45, Wagerly 36585
- 97 **MOBILE**
Dal C. Younce _____ 409 Hwy. 43 So., Saraland 36571
- 98 **MOBILE**
Cain J. Kennedy _____ 111 Lovejoy Loop, Suite 202, Prichard 36610
- 99 **MOBILE**
James E. Buskey _____ 2207 Barretts Lane, Mobile 36617
- 100 **MOBILE**
J. Thomas (Tommy) Sandusky _____ P. O. Box 9118, Mobile 36609
- 101 **MOBILE**
H. L. (Sonny) Callahan _____ P. O. Box 1208, Mobile 36601
- 102 **MOBILE**
Nat Sonnier _____ 1759 Springhill Ave., Apt. 125, Mobile 36607
- 103 **MOBILE**
Gary Cooper _____ P. O. Box 25, Mobile 36601
- 104 **MOBILE**
Douglas I. Johnstone _____ 3100 Cottage Hill Road, Suite 311,
Mobile 36606
- 105 **MOBILE**
Bob Glass _____ P. O. Box 625, Theodore 36582

**ROSTER OF THE
SENATE OF ALABAMA
1977**

JERE BEASLEY, *Lieutenant Governor*
State Capitol, Montgomery

JOE FINE, *President Pro-Tem*
Russellville

McDOWELL LEE, *Secretary*
Montgomery

MRS. WILLIAM R. LAWLEY, JR., *Chief Clerk*
Montgomery

DISTRICT NO. 1
Oscar Ray Peden 225 Wilson Ave., Florence 35630
February 2, 1977

DISTRICT NO. 2
Joe Fine P. O. Box 818, Russellville 35653

DISTRICT NO. 3
Bingham Edwards P. O. Box 632, Decatur 35601

DISTRICT NO. 4
Finis St. John P. O. Drawer K, Cullman 35055

DISTRICT NO. 5
Robert T. (Bob) Wilson 1501 First Ave., Jasper 35501

DISTRICT NO. 6
Albert McDonald 6800 Madison Pike, Huntsville 35806

DISTRICT NO. 7
Bill G. King P. O. Box 382, Huntsville 35804

DISTRICT NO. 8
John Baker Route 3, Rainsville 35986

DISTRICT NO. 9
Sid McDonald P. O. Box 546, Arab 35016

DISTRICT NO. 10
Gerald W. Waldrop 181 Lakeshore Dr., (Rt. 10, Box 192A)
Gadsden 35901

DISTRICT NO. 11
George McMillan 1550 First National-Southern Natural Bldg.,
Birmingham 35203

DISTRICT NO. 12
Paschal P. "Pat" Vacca 929-30 Frank Nelson Bldg., Birmingham 35203

DISTRICT NO. 13
J. Richmond Pearson P. O. Box 11135, Birmingham 35202

DISTRICT NO. 14
Robert L. "Bob" Ellis, Jr. 509 Poplar Lane, Adamsville 35005

ROSTER OF THE SENATE OF ALABAMA—Continued

DISTRICT NO. 15
U. W. Clemon _____ 2121 Building, Suite 1600, Birmingham 35203

DISTRICT NO. 16
Richard C. Shelby _____ 324 First Federal Bldg., Tuscaloosa 35401

DISTRICT NO. 17
Eddie Hubert Gilmore _____ P. O. Box 546, Bessemer 35020

DISTRICT NO. 18
Obie J. Littleton _____ P. O. Box 1399, Clanton 35045

DISTRICT NO. 19
John Teague _____ P. O. Box 427, Childersburg 35044

DISTRICT NO. 20
Donald W. Stewart _____ P. O. Box 2182, Anniston 36201

DISTRICT NO. 21
T. D. (Ted) Little _____ P. O. Box 342, Auburn 36830

DISTRICT NO. 22
G. J. (Dutch) Higginbotham _____ P. O. Box 585, Opelika 36801
February 25, 1977

DISTRICT NO. 23
T. Dudley Perry _____ P. O. Box 419, Tuskegee 36083

DISTRICT NO. 24
Sam L. Adams _____ 129 S. Oates, Dothan 36301

DISTRICT NO. 25
Wallace Miller _____ P. O. Box 765, Enterprise 36330

DISTRICT NO. 26
Jerry Powell _____ 116 Company St., Wetumpka 36092

DISTRICT NO. 27
Fred Jones _____ 132 S. Perry St., Montgomery 36104

DISTRICT NO. 28
"Walking" Wendell Mitchell _____ P. O. Box 225, Luverne 36049

DISTRICT NO. 29
Earl Goodwin _____ P. O. Box 1039, Selma 36701

DISTRICT NO. 30
Bert Bank _____ No. 7 Burnt Pine, Rt. 2, Northport 35476

DISTRICT NO. 31
Maston Mims _____ Rt. One, Uriah 36480

DISTRICT NO. 32
L. D. (Dick) Owen, Jr. _____ 1301 Forest Park, Avenue, Bay Minette 36507

DISTRICT NO. 33
Mike Perloff _____ 257 St. Anthony St., Mobile 36603

DISTRICT NO. 34
L. W. "Red" Noonan _____ 161 McGregor Ave., Mobile 36608

DISTRICT NO. 35
Bill Roberts _____ 148 Tuscaloosa Street, Mobile 36607

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- 1957 Acts, act 63, regular session, relating to a public body becoming a body corporate—
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- 1957 Acts, act 352, regular session, section 3 (c) (d) (e) and (g), to include other "interest" as well as "tracts" in unitization orders—
HB 324, pages 70, 94
- 1957 Acts, act 352, section 3 (g), relating to unit operation of a field for production of oil or gas—
SB 644, pages 1922, 1923, 1944, 2272, 2274, 2487, 2742
- 1957 Acts, act 533, regular session, creating the state board of registration for foresters—
HB 310, pages 67, 102, 999, 1101, 1178, 1689, 1706, 2598, 2634, 2755
- 1957 Acts, act 533, regular session, increasing the license and registration fee for foresters—
HB 311, pages 67, 102, 1690, 2598, 2634, 2755
- 1957 Acts, act 603, regular session, section 1, regulating expenses of special examinations of certain banks—
HB 369, pages 77, 138
- 1959 Acts, act 100, regular session, sections 2, 3, 35 and 36, relating to dental hygienists—
HB 1047, page 777
- 1959 Acts, act 100, regular session, section 32, paying a percentage of the sales tax to county boards of education—
HB 1156, pages 1016, 1184
- 1959 Acts, act 100, regular session, section 32, relating to distribution of sales tax to counties to administer the food stamp program—
HB 1284, pages 1546, 1865

ACTS AMENDED, GENERAL ACTS (Continued)

- 1959 Acts, act 100, section 32, relating to sales tax on bonus coupons—
HB 1303, pages 1803, 1944
- 1959 Acts, act 100, second special session, section 2, relating to gross receipts tax on materials used in maintenance of aircraft—
HB 161, page 38
- 1959 Acts, act 100, second special session, section 2, relating to the state sales tax act—
HB 36, pages 13, 201, 449, 1179, 1547, 1693, 1707, 1711, 2464, 2473, 2480
- 1959 Acts, act 100, second special session, section 33, exempting food from state sales tax—
HB 326, pages 70, 90, 228, 406, 757
- 1959 Acts, act 100, second special session, section 33, to exempt LP gas used by agricultural producers from state sales tax—
HB 145, pages 34, 509, 925, 999, 1100, 1178, 1227, 2464, 2473, 2480
- 1959 Acts, act 312, regular session, section 2, relating to taxes levied on liquor sales—
HB 559, page 156
- 1959 Acts, act 374, regular session, section 9, relating to the Alabama small loan act—
HB 368, pages 77, 138
- 1959 Acts, act 576, regular session, section 7, relating to registration of sailboats—
HB 411, page 108
- 1959 Acts, act 643, regular session, providing equal representation on the state tenure commission for the Alabama state federation of teachers with A.E.A.—
HB 688, pages 313, 512, 804
- 1961 Acts, act 78, special session, sections 1, 4, 6, 7, 9, 11, 12, 14, 16, 23, 28 and repealing section 29, relating to cosmetology in counties less than 600,000 population—
HB 794, pages 382, 692, 1179, 1706, 1858, 1964, 2156, 2556, 2597, 2707, 2741, 2752, 2756
- 1961 Acts, act 78, special session, sections 1, 9, 14, and 16, relating to the practice of cosmetology in counties less than 600,000 population—
HB 620, page 211
- 1961 Acts, act 78, special session, section 9, regulating the licensing of cosmetologists—
HB 516, pages 149, 205, 1179, 1707, 1859, 1964, 2126, 2484, 2503, 2753
- 1961 Acts, act 84, special session, relating to the taking of mistreated animals by officers of humane societies—
HB 680, page 266
- 1961 Acts, act 91, regular session, section 2, allowing the department of pensions and security to destroy obsolete records—
HB 799, pages 383, 512
- 1961 Acts, act 215, regular session, section 1, exempting motor vehicles used in car pooling—
HB 1193, pages 1110, 1343

ACTS AMENDED, GENERAL ACTS (Continued)

- 1961 Acts, act 474, regular session, section 2, relating to the relocation of utility facilities when necessitated by federal-aid highway system projects—
HB 129, page 31
SB 295, pages 1659, 1661, 2294
- 1961 Acts, act 658, regular session, section 25, relating to formation of the Alabama building finance authority—
HB 118, pages 28, 203
- 1961 Acts, act 663, regular session, regulating elections in cities 300,000 or less population—
HB 253, pages 57, 410
- 1961 Acts, act 865, regular session, sections 2, 3, 4, 7, 8 and 16, regulating further professional service association—
HB 1144, pages 1014, 1102, 1881
- 1963 Acts, act 565, regular session, title and section 1, regulating the working hours of firemen in cities 29,000 or more population—
HB 724, page 368
- 1963 Acts, act 576, regular session, section 1, relating to license tags for disabled veterans—
HB 961, page 704
- 1963 Acts, act 582, regular session, relating to ionizing radiation control—
HB 277, pages 60, 204
HB 1049, pages 777, 1344
- 1964 Acts, act 172, first special session, sections 1, 4, and 5, authorizing an additional legal stenographer in judicial circuits of one county with 6 to 9 circuit judges—
HB 1380, pages 1962, 2032, 2206, 2523, 2569, 2754
- 1965 Acts, act 42, first special session, sections 1 and 3, relating to removal of the deputy clerk of the supreme court—
HB 1053, page 778
- 1965 Acts, act 60, second special session, section 3, levying a tax on criminal and quasi-criminal cases and suits in every court in the state—
HB 319, page 68
HB 399, page 106
- 1965 Acts, act 107, special session, sections 6 and 19, relating to county water authorities—
HB 1060, pages 779, 846
- 1965 Acts, act 110, first special session, sections 1-5, relating to a trade school for the prison system—
HB 397, pages 106, 198, 1179, 1706, 1858, 1963, 1987, 1988
SB 348, pages 1660, 1661, 1795, 1987, 1988, 2115
- 1965 Acts, act 203, special session, section 1, relating to the collection of privilege license taxes levied by cities and towns—
HB 659, pages 262, 305
- 1965 Acts, act 221, special session, section 9, relating to members of local textbook committees—
HB 535, pages 152, 198

ACTS AMENDED, GENERAL ACTS (Continued)

- 1965 Acts, act 549, regular session, section 2-104(3), defining sales of agricultural goods in certain instances as sales between merchants—
HB 1206, pages 1188, 1679
- 1965 Acts, act 549, regular session, section 2-316, relating to implied warranties of merchantability—
HB 267, pages 59, 89, 184
- 1965 Acts, act 549, regular session, paragraph 12, section 10-105, relating to banks and banking—
HB 947, pages 702, 769, 2183
SB 824, pages 1916, 1917, 1965, 2027, 2264, 2272, 2487, 2734, 2750, 2752
- 1965 Acts, act 563, regular session, section 8, providing that all records of child abuse and neglect be made available to all law enforcement officers—
HB 163, page 39
- 1965 Acts, act 654, regular session, section 3, authorizing the use of revenues derived from taxes levied by, to retire bonds of the state industrial development authority—
HB 1212, pages 1189, 1266, 1859, 1965
- 1965 Acts, act 685, regular session, relating to water management—
HB 633, pages 258, 848
- 1965 Acts, act 751, regular session, exempting non-residents under 18 years of age from the purchase of hunting licenses—
HB 650, pages 261, 694, 916, 999, 1100, 1178, 1706, 1840, 2701, 2725, 2756
- 1965 Acts, act 751, regular session, relating to the cost of non-resident hunting licenses—
HB 396, pages 106, 848
- 1966 Acts, act 168, special session, section 13, relating to the Alabama historical commission—
HB 1241, pages 1269, 1680
- 1966 Acts, act 208, special session, section 1, relating to dependents of law enforcement officers killed in line of duty—
HB 1089, pages 866, 1343, 2126
- 1966 Acts, act 253, special session, exempting certain persons who render emergency aid from civil liability—
HB 504, page 146
HB 1308, pages 1804, 1944
- 1966 Acts, act 281, special session, section 2, relating to benefits for dependents of blind parents—
HB 263, pages 58, 204
SB 216, pages 1652, 1653, 1958
- 1967 Acts, act 3, regular session, sections 1, 2, 3, & 4, regulating the deposit and investment of state funds—
HB 714, pages 317, 516, 1179, 1707, 1858, 1964
- 1967 Acts, act 217, first special session, section 1, relating to competitive bidding—
HB 125, pages 29, 203

ACTS AMENDED, GENERAL ACTS (Continued)

- 1967 Acts, act 249, regular session, including the dean of Miles College Law School as a member of the council of the state law institute—
HB 15, pages 10, 196, 1688
- 1967 Acts, act 393, regular session, section 1, designating certain revenue department employees as peace officers—
HB 524, pages 150, 305
- 1967 Acts, act 551, regular session 4, relating to the Alabama state council on the arts and humanities—
HB 1167, pages 1105, 1341
- 1967 Acts, act 741, regular session, sections 1 and 15, relating to podiatry—
HB 1026, page 773
- 1967 Acts, act 755, regular session, title and sections 1, 3, 4 and 5, providing supernumerary tax assessors, collectors and license commissioners in the various counties of the state—
HB 32, pages 13, 92, 250, 289, 1851, 1874, 1940
- 1967 Acts, act 773, regular session, sections 1, 2, 3, 4, 6, 10, 11 and 12, changing the name of Florence state college and the makeup of the board of trustees for—
HB 389, pages 105, 1006, 1179, 1858, 1964
- 1969 Acts, act 14, special session, title and sections 1, 4, 6, 8, 10, relating to the Alabama commission on higher education—
HB 27, pages 12, 195, 925, 999, 1100, 1128
- 1969 Acts, act 21, special session, exempting rural water authorities—
HB 982, page 708
- 1969 Acts, act 21, special session, section 5, exempting county governing body from utility taxes on uses of water and electricity—
HB 509, page 147
- 1969 Acts, act 21, special session, section 5, levying a privilege or license tax on furnishing utility services—
HB 362, page 76
- 1969 Acts, act 21, special session, section 5, relating to privilege or license tax exemptions for persons over sixty-five on utility service—
HB 701, pages 315, 519, 832, 833, 901, 907
- 1969 Acts, act 35, special session, section 1, relating to determination of the number of teacher units for apportioning the minimum school program fund—
HB 588, page 160
HB 768, pages 378, 1002
- 1969 Acts, act 37, special session, sections 7 and 9, relating to utility excise taxes—
HB 1157, page 1016
- 1969 Acts, act 159, regular session, section 7, relating to highway condemnation cases—
HB 95, pages 23, 198

ACTS AMENDED, GENERAL ACTS (Continued)

- 1969 Acts, act 281, regular session, relating to safe transportation of school children—
HB 706, pages 316, 521
- 1969 Acts, act 408, regular session, prohibiting sale or display of obscene materials to minors, certain exemptions provided—
HB 810, page 417
- 1969 Acts, act 408, regular session, prohibiting the exposing of obscene materials to persons over eighteen years of age, exempting certain persons—
HB 809, page 417
- 1969 Acts, act 470, regular session, sections 1 and 3, relating to mileage allowance for state employees—
HB 609, page 209
- 1969 Acts, act 470, regular session, section 2, relating to out of state travel for employees of state board of education and local boards of education—
HB 30, pages 12, 93, 1179, 1707, 1859, 1965
- 1969 Acts, act 473, regular session, section 1, regulating contracts for the sale of state-owned tangible property—
HB 234, page 54
- 1969 Acts, act 700, regular session, section 2, relating to the prevailing wage commission—
HB 774, page 378
- 1969 Acts, act 771, relating to solid wastes disposal—
SB 593, pages 1160, 1161, 1861, 2488
- 1969 Acts, act 917, regular session, title and sections 1, 2, 3 and 4, providing for collection of sales and use taxes on food and prescription drugs by the state department of revenue for cities and towns—
HB 658, pages 262, 305
- 1969 Acts, act 1101, regular session, section 1, allowing a teacher to be paid for accumulated sick leave—
HB 619, pages 210, 1957
- 1969 Acts, act 1126, regular session, section 5, defining the objectives and purposes of regional planning and development commissions—
HB 1200, page 1186
- 1971 Acts, act 63, organizational session, section 5, relating to uniform disposition of unclaimed property—
HB 922, pages 529, 692, 1179, 1707, 1859, 1964
- 1971 Acts, act 87, third special session, regulating schools and courses of instruction sold in the state—
HB 831, pages 422, 1866
- 1971 Acts, act 96, special session, relating to the levy of a license tax paid by radio and television broadcasters on copyrighted material—
HB 124, page 29
- 1971 Acts, act 96, first special session, section 3, relating to a privilege tax on persons leasing or renting tangible property—
HB 890, pages 524, 836, 1178, 1225

ACTS AMENDED, GENERAL ACTS (Continued)

- 1971 Acts, act 106, regular session, sections 4, 5, 6, and 9, relating to exceptional child education—
HB 1237, pages 1269, 1944
- 1971 Acts, act 160, third special session, section 5, providing a state-wide reappraisal program for maintenance of property values—
HB 69, pages 18, 91, 241, 449, 452
- 1971 Acts, act 160, third special session, section 13, relating to state-wide property reappraisal—
HB 591, page 206
- 1971 Acts, act 174, third special session, defining the term day care center—
HB 291, pages 63, 195
- 1971 Acts, act 174, third special session, sections 2.05 and 2.08, exempting religious educational institutions providing instruction to children younger than school age from the provisions of—
HB 432, pages 111, 1181, 1847, 1858, 1884, 1888, 1889
- 1971 Acts, act 176, third special session, section 1, repealing sections 2 and 3, relating to sales taxes on prescription drugs—
HB 342, page 73
- 1971 Acts, act 276, 3rd special session, sections II, III, IV, and VIII, relating to outdoor advertising on highways—
HB 1113, page 939
- 1971 Acts, act 403, regular session, section 18, exempting Cleburne county from licensing of barbers and barber colleges—
HB 40, pages 14, 103, 169
- 1971 Acts, act 403, regular session, section 18, exempting Jefferson county from act requiring registration and licensing of barbers and barber colleges—
HB 1013, pages 713, 1263, 1377, 2482, 2503, 2754
SB 465, pages 1655, 1657, 1795, 1924, 1993
- 1971 Acts, act 403, regular session, section 18, exempting Russell county from licensing of barbers and barber apprentices—
SB 717, pages 1654, 1656, 1864, 1965, 2116
- 1971 Acts, act 407, regular session, chapter 8, section 171, relating to the Alabama insurance code—
HB 1256, pages 1349, 1794
SB 777, pages 1918, 1919, 2027, 2487
- 1971 Acts, act 407, regular session, section 12, exempting a trust of the University of Alabama in Birmingham from the Alabama insurance code—
HB 195, pages 46, 88, 137, 459
- 1971 Acts, act 407, regular session, section 12, to exempt malpractice insurance trusts from provisions of the Alabama insurance code—
HB 198, pages 47, 97, 458, 459, 1029, 1956, 1095
- 1971 Acts, act 407, regular session, section 120, regulating the licensing of insurance agents—
HB 223, page 52
HB 318, page 68

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- 1971 Acts, act 407, regular session, section 158, regulating the licensing of insurance agents—
HB 222, page 52
- 1971 Acts, act 1142, regular session, relating to employees of the department of industrial relations with status as peace officers and police powers—
HB 598, pages 207, 520, 1179, 1707, 1859, 1964
- 1971 Acts, act 1142, regular session, title and sections 1 and 2, relating to unemployment insurance fraud investigators—
HB 246, pages 55, 510
- 1971 Acts, act 1407, regular session, title and sections 401, 402, 403, 404, 407, 504, 505, and 506, relating to the Uniform Alabama Controlled Substances Act—
HB 1130, pages 942, 1005
- 1971 Acts, act 1516, regular session, section 13, exempting Baldwin county from water well standards—
HB 470, pages 142, 216, 849, 963, 1671, 1735, 1790
- 1971 Acts, act 1590, regular session, relating to licensing and training of ambulance drivers and companies—
HB 707, pages 316, 411, 481, 2282, 2433, 2478
- 1971 Acts, act 1935, regular session, section 1, relating to county boards of education power to establish kindergarten programs—
HB 924, page 530
- 1971 Acts, act 1938, regular session, providing civil and criminal penalties for violation of mobile home safety standards—
HB 1214, pages 1189, 1859, 1964
- 1971 Acts, act 1938, regular session, sections 2, 3, 4, 5, 6 and 9, section 7, repealed, relating to mobile home safety standards—
HB 1216, p. 1189, 1262
- 1971 Acts, act 1945, regular session, section 3, regulating the employment of county engineers—
HB 235, pages 54, 200, 276, 286, 2180, 2215, 2260
- 1971 Acts, act 1945, regular session, section 3, regulating the employment of the county engineer in certain counties—
HB 806, pages 417, 466, 739, 2577, 2635, 2755
- 1971 Acts, act 1949, regular session, section 3, making it unlawful to use a pesticide inconsistent with its label—
HB 1071, pages 862, 1678
SB 634, pages 1789, 1870, 2171, 2190
- 1971 Acts, act 2052, regular session, section 19, relating to the Bureau of Loans—
HB 370, page 77
- 1971 Acts, act 2228, regular session, section 1, relating to cities 2,000 or more population—
HB 237, pages 54, 514
- 1971 Acts, act 2244, regular session, relating to exemptions from registration with the Alabama securities commission—
HB 589, pages 161, 302

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- 1971 Acts, act 2305, regular session, sections 2, 5, 6 and 9, increasing the coal severance tax—
HB 901, pages 526, 835, 925, 988, 990, 1000
- 1971 Acts, act 2309, regular session, sections 1, 2, & 3, relating to illegal deer hunting—
HB 980, pages 708, 848
- 1971 Acts, act 2479, regular session, sections 3, 9, 12, relating to the Alabama worthless check act—
HB 646, pages 261, 838, 925, 999, 1100, 1123, 2722, 2739, 2756
- 1971 Acts, act 2479, regular session, section 9, relating to prima facie evidence—
HB 12, pages 9, 197, 1179, 1707, 1859, 1964
- 1973 Acts, act 752, regular session, section 2, relating to payment for accrued sick leave for merit system employees upon retirement—
HB 934, page 700
- 1973 Acts, act 763, regular session, relating to subsistence allowances for law enforcement officers—
HB 121, page 29
HB 387, pages 104, 837
SB 29, pages 434, 435, 519
- 1973 Acts, act 765, regular session, relating to recovery of stolen motor vehicles—
HB 639, page 259
- 1973 Acts, act 765, regular session, section 5 and 19, removing the requirement of a copy of each security interest document when perfecting a security interest in a vehicle of a type which a certificate of title is required—
HB 106, pages 24, 88, 178, 1231, 1258, 1790
- 1973 Acts, act 826, regular session, relating to bonds—
HB 1022, pages 772, 835, 954
- 1973 Acts, act 997, regular session, sections 2, 7, and 18, prescribing the qualifications for members of the state board of accountancy—
HB 775, page 379
- 1973 Acts, act 1000, regular session, relating to ad valorem tax exemption on certain homes—
HB 307, page 66
- 1973 Acts, act 1007, regular session, providing a definition of heavy duty equipment and taxation thereon—
HB 543, pages 153, 305
- 1973 Acts, act 1024, regular session, exempting the twenty-third judicial circuit from this act—
SB 621, pages 1167, 2032, 2207, 2243
- 1973 Acts, act 1038, regular session, title and sections 2, 59 and 61, creating a new uniform military code—
HB 765, pages 377, 410, 788
- 1973 Acts, act 1056, regular session, section 2, redefining the term "public official"—
HB 8, pages 9, 200, 925, 999, 1100, 1178, 1706, 1857, 1937, 1987

ACTS AMENDED, GENERAL ACTS (Continued)

- 1973 Acts, act 1056, regular session, section 2(k), redefining legislative employee, lobbyist, public employee and public official—
HB 812, page 418
- 1973 Acts, act 1056, regular session, section 2(k), redefining "public official" under the state ethics act—
HB 618, page 210
- 1973 Acts, act 1056, regular session, section 3, including additional standards of conduct for public officials and employees—
HB 813, page 418
- 1973 Acts, act 1056, regular session, section 4, clarifying "thing of value", under the state ethics law—
HB 814, page 418
- 1973 Acts, act 1056, regular session, section 5, including additional standards of conduct for public officials and employees—
HB 461, page 117
HB 815, page 418
- 1973 Acts, act 1056, regular session, section 8, relating to legislators representing someone before an agency of state government—
HB 816, page 418
- 1973 Acts, act 1056, regular session, section 12, requiring financial disclosure by public officials and employees under the ethics law—
HB 817, page 419
- 1973 Acts, act 1056, regular session, section 13, relating to financial disclosure for candidates under the state ethics law—
HB 818, page 419
- 1973 Acts, act 1137, regular session, title and section 1, relating to driver education and training funds—
HB 1, pages 7, 95, 1875, 2464, 2473, 2480
SB 6, page 435
- 1973 Acts, act 1163, regular session, relating to judicial retirement—
HB 143, pages 34, 1002, 1963
- 1973 Acts, act 1218, regular session, section 2, relating to capitol renovation—
HB 1086, pages 865, 1260, 1857, 1931
- 1973 Acts, act 1252, regular session, section 1, increasing the compensation of bailiffs in the judicial circuit in Talladega county—
HB 945, pages 702, 836, 1050, 1676, 1783, 1791
- 1973 Acts, act 1269, regular session, section 1, relating to immunization of children prior to entry into school—
HB 1056, page 779
HB 1310, page 1804
- 1973 Acts, act 1276, regular session, relating to the Alabama teacher tenure law—
HB 136, pages 32, 519
- 1973 Acts, act 1277, regular session, section 7, relating to refunding bonds by the Alabama public school and college authority—
HB 1229, page 1267

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- 1973 Acts, act 1299, regular session, section 2, relating to the division of data systems management—
SB 487, pages 1917, 1918, 1945, 2487
- 1975 Acts, act 77, regular session, extending child support obligations until 21 years of age—
HB 1254, page 1272
- 1975 Acts, act 90, fourth special session, section 4(D), excluding speech pathologists or audiologists of the department of mental health from the licensing provisions of the act—
HB 893, pages 525, 692, 2160
- 1975 Acts, act 206, third special session, relating to increased allowances for law enforcement officers—
HB 385, pages 104, 308, 836
- 1975 Acts, act 206, third special session, section 1, relating to longevity pay bonus for state law enforcement officers—
HB 61, page 17
- 1975 Acts, act 524, regular session, section 1, relating to the issuance of semi-permanent license plates—
HB 415, page 109
- 1975 Acts, act 539, title and sections 1 and 2, requiring emergency medical data be placed on drivers license—
HB 152, pages 37, 89, 183
- 1975 Acts, act 551, regular session, section 4, allowing the Alabama surface mining reclamation commission to hire without regard to the state merit system—
HB 109, pages 24, 95, 1179, 1707, 1858, 1964
- 1975 Acts, act 551, regular session, section 4(2) A(6), relating to surface mining—
HB 682, page 266
- 1975 Acts, act 551, regular session, section 11, regulating the use of explosives in coal surface mining—
HB 206, pages 49, 88, 253
- 1975 Acts, act 551, regular session, section 11(c) (d) (e), relating to explosives used in surface mining—
HB 577, pages 159, 195, 925, 999, 1100, 1119
- 1975 Acts, act 793, regular session, section 2, increasing the compensation of the secretarial assistants of the district attorney and circuit judge of the judicial circuit in Talladega county—
HB 943, pages 701, 1003, 1277, 2483, 2504, 2754
- 1975 Acts, act 808, regular session, sections 2, 3, 4 & 5, relating to salaries in the seventh judicial circuit—
HB 1002, pages 711, 1266, 1923, 2726
- 1975 Acts, act 863, regular session, sections 3, 4, 5 subsection (c), 7 subsections (A) and (S), and 8, relating to the Alabama firefighters personnel standards and education commission—
HB 475, pages 142, 195, 535, 1179, 1707, 1859, 1964
- 1975 Acts, act 863, regular session, section 7, relating to the Alabama firefighters personnel standards and education commission—
HB 105, pages 24, 199, 2145, 2573, 2620, 2755

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- 1975 Acts, act 871, regular session, sections 2 and 4, relating to protection for state officials—
HB 1031, pages 774, 1004
- 1975 Acts, act 951, regular session, relating to taxes paid by non-resident contractors—
HB 935, pages 700, 840
- 1975 Acts, act 1102, regular session, title and section 3, relating to the employees' retirement system—
HB 227, pages 53, 697
- 1975 Acts, act 1109, regular session, section 2, relating to military service credit under the teachers retirement system—
HB 1087, page 865
- 1975 Acts, act 1147, regular session, sections 4, 5, 6 & 7, removing the requirement that voters signature on absentee ballot be acknowledged—
HB 339, pages 73, 310
- 1975 Acts, act 1180, regular session, relating to overtime pay and compensatory time for law enforcement officers—
HB 386, pages 104, 837
- 1975 Acts, act 1196, regular session, relating to primary elections—
HB 150, pages 35, 99, 832, 833, 908
HB 837, page 423
- 1975 Acts, act 1205, regular session, article 5, section 103 and article 6, section 118, relating to the judicial article implementation act—
HB 244, pages 55, 694
- 1975 Acts, act 1205, regular session, section 4-106, eliminating the requirement that a warrant magistrate be a law graduate to issue a search warrant—
HB 153, page 37
HB 759, page 376
- 1975 Acts, act 1205, regular session, section 4-106, relating to district courts power to grant a defendant rights to drive an automobile—
HB 1067, pages 862, 1183
- 1975 Acts, act 1205, regular session, section 4-106 (g) (2) (A), regulating the issuance of search or arrest warrants—
HB 917, page 529
- 1975 Acts, act 1205, regular session, section 4-106 (g) (2) (A), relating to district court magistrates powers in Tuscaloosa county—
HB 1288, pages 1684, 1796, 1979, 2284, 2434, 2478
- 1975 Acts, act 1205, regular session, section 7-106, relating to retirement—
HB 1218, pages 1190, 1681, 1964, 2167, 2466, 2477, 2753
- 1975 Acts, act 1205, regular session, section 16-103, relating to court finances—
HB 575, pages 158, 302
- 1975 Acts, act 1226, regular session, relating to the commitment of mentally ill persons—
HB 266, pages 59, 197, 791, 793, 832, 1179, 1707, 1801, 1859, 1964, 2157, 2573, 2620, 2755

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- 1975 Acts, act 1226, regular session, sections 7, 8 and 10, relating to the commitment of mentally ill persons—
HB 627, pages 212, 303
- 1975 Acts, act 1229, regular session, relating to the Small Business Assistance Act—
HB 1151, pages 1015, 1865, 2145
- 1975 Acts, act 1231, regular session, sections 1 and 2, relating to the sheriffs retirement system—
HB 247, page 56
- 1975 Acts, act 1231, regular session, section 3, relating to the sheriffs' retirement system—
HB 477, pages 143, 846
- 1975 Acts, act 1233, regular session, to include educators as persons exempted from civil liability when rendering emergency care—
HB 149, pages 35, 1680
- 1975 Acts, act 1237, regular session, section 1, relating to disabled veterans motor vehicle tags—
HB 1231, page 1268
- 1976 Acts, act 182, regular session, section 9, relating to the good time law—
HB 9, pages 9, 96, 248, 359, 395, 399, 402, 404, 444, 2412, 2475, 2573, 2704 EX AMDT
- 1976 Acts, act 372, regular session, sections 1, 2, 3, 4, 5, 10, and 11, including firefighters in civil service systems in municipalities—
HB 561, pages 156, 514
- 1976 Acts, act 494, regular session, section 10, relating to a comprehensive system for budgeting and financial management—
HB 1347, pages 1897, 1958
- 1976 Acts, act 512, regular session, section 2, exempting institutions of higher learning from the sunset law—
SB 49, pages 432, 1006, 2487
- 1976 Acts, act 626, regular session, section 3, relating to public health, providing that this act shall become effective only upon approval of H.E.W.—
HB 450, pages 115, 137, 1179, 1707, 1801, 1805, 1859, 1964, 2143, 2143, 2536, 2569, 2754
- 1976 Acts, act 637, regular session, section 3, relating to a joint state-county work-release program for state and county inmates—
HB 478, pages 143, 846
- 1976 Acts, act 638, regular session, title and section 1, transferring all funds into a fund designated as "probationers' upkeep fund"—
HB 514, pages 148, 366, 1707, 1858, 1964, 2146
SB 456, pages 1917, 1919, 1957, 2146, 2190
- 1976 Acts, act 763, regular session, section 2, relating to expenditure of funds credited to the medicaid program
HB 488, page 144
- 1976 Acts, act 763, regular session, section 2 VI A (24), relating to the 1976 appropriation to the state forestry commission—
HB 856, pages 471, 1341, 1858, 1964

ACTS AMENDED, GENERAL ACTS (Continued)

- 1977 Acts, act 20, regular session, section 6-4-20, providing for service of process according to the Alabama rules of civil procedure—
HB 1295, page 1685
SB 855, pages 1920, 1921, 2026, 2487, 2736, 2748

ACTS AMENDED, LOCAL ACTS

- 1945 Acts, act 248, regular session, section 2, creating a civil service system for employees of Jefferson county—
HB 14, pages 10, 930, 1031, 2485, 2506, 2754
HB 1245, page 1270
- 1945 Acts, act 248, regular session, sections 5, 10, 12, 15, 16, 18 and 22, relating to the countywide civil service system in Jefferson county—
HB 953, pages 703, 1864, 1976, 2523, 2541, 2754
- 1945 Acts, act 248, regular session, section 12, relating to salary increases for merit system employees in Jefferson county—
HB 499, pages 146, 842, 948, 953, 2486, 2506, 2754
- 1945 Acts, act 248, regular session, section 19, relating to sick leave and vacation time for merit system employees in Jefferson county—
HB 1313, page 1804
- 1945 Acts, act 248, regular session, section 22, changing the procedure for appeal in the Jefferson county civil service system—
HB 670, pages 264, 1264, 1382, 1556
- 1945 Acts, act 248, section 22, relating to a civil service system in Jefferson county—
HB 444, pages 114, 842, 947, 952, 2486, 2506, 2754
- 1945 Acts, act 284, regular session, exempting Birmingham from the Jefferson county civil service system—
HB 1062, page 780
- 1947 Acts, act 13, regular session, section 4, establishing the Phenix City pension and relief system for firemen and policemen—
HB 1180, pages 1107, 1185, 1294, 1854, 1880, 1940
- 1947 Acts, act 248, regular session, section 2, 3, 4 and 6, relating to the public law library in Mobile county—
HB 283, pages 62, 844, 956
- 1949 Acts, act 131, regular session, section 20, relating to meeting dates of the Colbert county commission—
HB 1278, pages 1545, 1796, 1926
- 1951 Acts, act 662, regular session, section 10, relating to taxes on beer in Jefferson county—
HB 603, pages 208, 930, 1037, 1113, 1273, 1276, 1364
- 1951 Acts, act 929, regular session, relating to the Birmingham retirement and relief system—
HB 1221, pages 1191, 1263, 1379, 2483, 2504, 2754
HB 1343, pages 1896, 2030, 2231, 2515, 2540, 2754
SB 879, pages 2249, 2250, 2298, 2698
- 1953 Acts, act 61, regular session, providing for the meetings of the governing body of Hale county—
HB 1318, pages 1890, 1948, 2037, 2286, 2435, 2478

ACTS AMENDED, LOCAL ACTS (Continued)

- 1953 Acts, act 103, regular session, relating to the pension and retirement system of the city of Dothan—
SB 829, pages 2252, 2253
- 1953 Acts, act 258, regular session, section 1, fixing the compensation of the jury commission of Bibb county—
HB 529, pages 151, 206, 279, 489, 493, 640
- 1955 Acts, act 87, regular session, section 1, regulating the office of the probate judge in Mobile county—
HB 548, pages 154, 845, 959, 2269, 2293, 2477
- 1959 Acts, act 418, section 13, relating to gasoline excise tax in DeKalb county—
HB 1119, page 940
SB 754, pages 1914, 1915
- 1962 Acts, act 47, special session, section 2, authorizing additional clerical help for certain offices in Elmore county—
HB 997, pages 711, 849, 965, 2271, 2292, 2477
- 1963 Acts, act 265, regular session, section 5, relating to airport authorities in Mobile county—
HB 1357, pages 1898, 1952, 2056, 2537, 2568, 2754
- 1963 Acts, act 354, regular session, section 1, providing an expense allowance for the mayor and city commission of Gadsden—
SB 864, pages 1912, 1913, 2186, 2311, 2593
- 1964 Acts, act 66, special session, section 1, regulating the compensation of election officials in Fayette county—
HB 1012, pages 713, 929, 1025, 1675, 1744, 1791
- 1965 Acts, act 36, first special session, title and sections 1, 5 and 6, regulating voter reidentification in Mobile county—
HB 1150, pages 1015, 1952, 2060
- 1965 Acts, act 36, special session, relating to voter reidentification in Mobile county—
HB 1088, page 866
- 1965 Acts, act 67, second special session, section 1, relating to the compensation of election officials—
HB 527, pages 150, 206, 279, 488, 493, 640
- 1965 Acts, act 87, second special session, section 1, relating to the pay of the Bibb county board of equalization—
HB 528, pages 151, 206, 279, 489, 493, 640
- 1965 Acts, act 134, regular session, relating to the mayor employing a chief administrative assistant in cities with population 300,000 or more—
HB 460, pages 117, 930, 1037, 2515, 2539, 2754
- 1965 Acts, act 287, first special session, section 2, relating to the compensation of the board of commissioners in the city of Mobile—
HB 1315, pages 189, 1951, 2055
- 1965 Acts, act 497, regular session, section 10, relating to the Jefferson county pension system—
HB 1325, pages 1892, 2030, 2204, 2514, 2539, 2754
SB 880, pages 2249, 2250, 2298, 2699, 2748

ACTS AMENDED, LOCAL ACTS (Continued)

- 1965 Acts, act 497, regular session, section 21, relating to the retirement system in Jefferson county—
HB 1290, pages 1684, 1865, 1977, 2484, 2505, 2754
- 1965 Acts, act 520, regular session, setting salary limits for the jury commission—
SB 812, pages 2255, 2257, 2296, 2605, 2638
- 1965 Acts, act 785, regular session, providing Gadsden with the commission form of government—
SB 887, page 2247
- 1965 Acts, act 785, regular session, section 8, relating to the salaries of the mayor and city commission in Gadsden—
SB 871, page 2248
- 1965 Acts, act 809, regular session, section 4, relating to the administrative consultant to the circuit clerk, increasing salary—
HB 830, pages 421, 696, 807, 2397, 2471, 2479
- 1966 Acts, act 79, special session, title and sections 2 and 13, relating to the creation of fire districts in Jefferson county—
HB 193, pages 45, 255, 328, 2559, 2619, 2755
- 1966 Acts, act 97, special session, regulating the compensation of election officers in Lamar county—
HB 1011, pages 713, 929, 1024, 1675, 1744, 1791
- 1966 Acts, act 217, special session, section 2, relating to Birmingham fire department employees retirement system—
HB 443, pages 114, 698, 818, 2485, 2506, 2754
SB 572, pages 1842, 1845, 2298, 2701
- 1967 Acts, act 106, special session, section 1, increasing the salary of the secretary of the eighteenth judicial circuit—
HB 662, pages 263, 696, 805
- 1967 Acts, act 460, regular session, section 1, relating to Sunday closing laws in Calhoun county—
HB 372, pages 78, 104, 173, 402, 404, 462
- 1967 Acts, act 464, regular session, title and section 1, fixing pistol permit fees in Etowah county—
SB 872, page 2248
- 1969 Acts, act 348, regular session, section 1, increasing the clerk hire allowance for the tax assessor and tax collector in Perry county—
HB 1336, pages 1894, 1948, 2039, 2287, 2435, 2478
- 1969 Acts, act 349, regular session, section 1, increasing the clerk hire allowance of the circuit court clerk of Perry county—
HB 1337, pages 1895, 1948, 2040, 2287, 2436, 2478
- 1969 Acts, act 384, regular session, relating to the civil service system in Calhoun county—
HB 1033, pages 774, 850, 971, 1677, 1783, 1791
- 1969 Acts, act 791, regular session, section 2, increasing the deputy sheriff uniform allowance in Lauderdale county—
HB 1297, pages 1686, 1796, 1927, 2285, 2438, 2479

ACTS AMENDED, LOCAL ACTS (Continued)

- 1969 Acts, act 1238, regular session, allowing cooperating governmental units to withdraw from the Tuscaloosa county park and recreation authority—
HB 574, page 158
- 1971 Acts, act 37, section 1, relating to the Shelby county sheriff's office—
HB 1327, pages 1893, 1959, 2113
- 1971 Acts, act 133, first special session, providing for the salary of the clerk of the probate judge in Lowndes county—
HB 1285, pages 1546, 1863, 1970, 2285, 2438, 2479
- 1971 Acts, act 165, special session, section 1, relating to a clerk hire allowance for the probate judge in counties 10,900 to 11,500 population—
HB 51, pages 16, 103, 169, 402, 403, 462
- 1971 Acts, act 738, regular session, section 1, relating to the election of council members in cities 135,000 to 185,000 population—
HB 1095, pages 867, 1185, 1291
- 1971 Acts, act 908, regular session, section 2, providing travelling expenses for officials in counties 75,000 to 90,000 population—
HB 744, pages 374, 412, 482, 1156, 1199, 1253
- 1971 Acts, act 1287, regular session, section 2, relating to the sale of alcoholic beverages in Tuscaloosa county—
HB 983, page 708
- 1971 Acts, act 1381, regular session, title and section 4, relating to the commissioners of Bibb county—
HB 1015, pages 770, 1261
HB 1100, pages 868, 929, 1026, 2521, 2596, 2707, 2749, 2756
- 1971 Acts, act 1584, regular session, relating to the costs of operations of the family relations division of the circuit court—
HB 649, page 261
- 1971 Acts, act 1740, regular session, title and section 1, changing judges of county inferior courts to magistrates in Shelby county—
HB 912, pages 528, 697, 809, 874, 1211, 1257, 1790
- 1971 Acts, act 1945, regular session, section 3, relating to the employment of county engineers—
HB 648, pages 261, 931, 1044, 2269, 2297, 2477
- 1971 Acts, act 2431, regular session, section 18, relating to dog racing in Mobile county—
HB 81, pages 20, 843, 950
- 1971 Acts, act 2431, regular session, title 3, creating a county racing commission in Mobile county—
HB 835, pages 422, 845, 961, 2270, 2291, 2477
- 1973 Acts, act 356, section 4, relating to the Montgomery county retirement system—
HB 1048, pages 777, 931, 1045, 2276, 2317, 2478
- 1973 Acts, act 475, regular session, sections 1 and 2, providing for the rearrangement of county commissioners districts in Chambers county—
HB 437, page 112, 364, 437, 1058, 1064, 1095

ACTS AMENDED, LOCAL ACTS (Continued)

- 1973 Acts, act 618, regular session, section 3.09, relating to vacancies on the Montgomery city council—
HB 1102, pages 868, 931, 1045, 1669, 1687, 1790
- 1973 Acts, act 618, regular session, section 4.02, providing for statements of candidacy for mayor in the city of Montgomery—
HB 1101, pages 868, 1346, 1552, 2517, 2538, 2754
- 1973 Acts, act 639, regular session, relating to the issuance of pistol permits in Jefferson county—
HB 747, page 374
- 1973 Acts, act 741, regular session, section 1, increasing the expense allowance of county governing body of Walker county—
SB 823, pages 2252, 2253, 2297, 2610, 2700, 2748
- 1973 Acts, act 833, regular session, providing expense allowances for members of the board of education in Lamar county—
HB 1139, pages 1014, 1184, 1285, 2273, 2319, 2478
- 1973 Acts, act 969, regular session, title and sections 1 and 4, providing supplemental pay to the district judge of Dallas county—
HB 1233, pages 1268, 1347, 1558, 2275, 2321, 2478
SB 825, pages 2257, 2258
- 1973 Acts, act 1006, regular session, title and section 1, allowing organized trade shows sponsored by the chamber of commerce to operate on Sunday in counties 600,000 or more population—
HB 7, pages 9, 254, 328, 2485, 2505, 2754
- 1973 Acts, act 1053, regular session, section 10, relating to the sale of table wine in Jefferson county—
HB 913, pages 528, 930, 1038, 2529, 2542, 2754
- 1973 Acts, act 1054, regular session, section 10, relating to the sale of table wine in Tuscaloosa county—
HB 712, pages 317, 1862, 1968, 1984, 2283, 2433, 2478
- 1973 Acts, act 1103, regular session, section 4, relating to the thirty-eighth judicial circuit—
HB 371, pages 78, 205, 277, 1058, 1064, 1095
SB 317, pages 1909, 1912
- 1975 Acts, act 16, second special session, section 1, relating to Blount county tax assessors and collectors clerical assistants—
HB 300, pages 65, 139, 221, 1059, 1066, 1095
- 1975 Acts, act 64, third special session, relating to the circuit court register in Winston county—
HB 761, pages 376, 696, 805, 1194, 2270, 2291, 2477
- 1975 Acts, act 75, fourth special session, title and section 1, relating to voting machines in Mobile county—
SB 296, pages 2250, 2253
- 1975 Acts, act 274, regular session, section 3, relating to appointments to the civil service board of Calhoun county—
SB 800, pages 1911, 1912
- 1975 Acts, act 519, regular session, relating to powers of boards of education in Etowah county—
HB 730, page 369
SB 540, pages 1162, 1163, 2185, 2308, 2421, 2462, 2492

ACTS AMENDED, LOCAL ACTS (Continued)

- 1975 Acts, act 653, regular session, title and sections 2 and 3, relating to voter registration and reidentification in Mobile county—
HB 1017, pages 771, 845, 962
- 1975 Acts, act 949, regular session, section 1, altering the boundaries of the town of Flint—
SB 830, pages 2257, 2258, 2297, 2611, 2640
- 1975 Acts, act 902, regular session, relating to licensing plumbing in Lauderdale county—
HB 1362, page 1899
- 1975 Acts, act 929, regular session, section 2, relating to the retirement system of Prichard, Alabama—
HB 549, pages 154, 845, 960, 2406, 2470, 2479
- 1975 Acts, act 942, regular session, section 1 and 3, relating to salaries of officers of Butler county—
HB 1018, pages 771, 1006, 1114, 1279, 2276, 2317, 2478
- 1975 Acts, act 947, regular session, section 10, relating to the sale of table wine in Green county—
HB 713, pages 317, 1265, 1382, 2270, 2291, 2477
- 1975 Acts, act 1006, regular session, section 10, relating to the sale of table wine in Marengo county—
HB 838, pages 423, 697, 807, 1673, 1743, 1791
- 1975 Acts, act 1186, regular session, title and section 1, relating to the state aeronautics department and Lawrence county—
SB 776, pages 1910, 1912, 2030, 2203, 2245
- 1975 Acts, act 1188, regular session, title and sections 1 and 2, relating to expense allowances for officers of Shelby county—
HB 1182, pages 1108, 1346, 1557, 2273, 2320, 2478
- 1976 Acts, act 246, regular session, section 4, relating to the Colbert county board of registrars—
HB 507, pages 147, 254, 327, 488, 492, 640
- 1976 Acts, act 441, regular session, section 1, providing an expense allowance for members of the governing body in counties 34,000 34,800 population—
HB 6, page 8
HB 252, pages 56, 103, 171, 402, 403, 462
- 1976 Acts, act 445, regular session, section 10, relating to the sale of table wine in Hale county—
HB 1267, pages 1352, 1796, 1928, 2284, 2437, 2479
- 1976 Acts, act 481, regular session, title and sections 2 and 3, relating to registration and identification of trailers in Lee county—
HB 1035, pages 774, 850, 971, 2405, 2470, 2479
- 1976 Acts, act 651, regular session, section 10, relating to the coroner in Mobile county—
SB 612, pages 1166, 1167, 1952, 2195, 2243

ACTS REPEALED, GENERAL ACTS

- 1943 Acts, act 542, regular session, relating to municipal vehicle inspection stations—
HB 313, page 67
- 1945 Acts, act 159, relating to the small loan business—
HB 86, pages 21, 89, 186, 189
- 1959 Acts, act 298, regular session, relating to qualifications of county superintendents of education—
HB 429, page 111
- 1959 Acts, act 374, regular session, relating to the small loan business—
HB 86, pages 21, 89, 186, 189
- 1965 Acts, act 278, first special session, relating to a scholarship program for medical education—
HB 844, pages 469, 520, 925, 999, 1100, 1178, 1706, 1840, 2600, 2634, 2755
- 1965 Acts, act 563, relating to child abuse and neglect—
HB 2, page 8
- 1969 Acts, act 38, special session, relating to qualifications of county superintendents of education—
HB 429, page 111
- 1971 Acts, act 335, third special session, the Alabama youthful offender act—
HB 510, page 148
- 1971 Acts, act 1516, regular session, regulating the construction of water wells—
HB 473, pages 142, 1801
- 1971 Acts, act 1957, regular session, relating to pesticides—
HB 1070 pages 862, 1678, 2171, 2172
- 1971 Acts, act 2052, regular session, section 18(f), relating to loans over \$300.00—
HB 86, pages 21, 89, 186, 189
- 1971 Acts, act 2422, relating to child abuse and neglect—
HB 2, page 8
- 1975 Acts, act 1186, regular session, relating to use of public lands for airports—
HB 1123, pages 941, 1182
- 1975 Acts, act 1231, regular session, relating to the sheriffs retirement system—
HB 1306, page 1803
- 1976 Acts, act 533, regular session, relating to indian affairs—
HB 1083, pages 865, 1343
- 1976 Acts, act 631, regular session, relating to allowable income and medicaid coverage—
HB 448, 115, 137, 1179, 1707, 1801, 1805, 1859, 1963,
- 1976 Acts, act 641, regular session, relating to transferring assets to meet eligibility requirements for medicaid—
HB 449, pages 115, 137, 1179, 1707, 1801, 1805, 1859, 1963, 2143, 2573, 2620, 2755

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- 1976 Acts, act 678, regular session, relating to the practice of podiatry—
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ACTS REPEALED, LOCAL ACTS

- 1935 Acts, act 290, regular session, creating a barbers' licensing commission for Mobile county—
HB 67, page 18
- 1947 Acts, act 17, regular session, relating to a hospital commission for Phenix City, Alabama—
HB 1112, pages 938, 1183, 1281, 1853, 1880, 1940
- 1961 Acts, act 679, regulating barbers and barber colleges in Morgan county—
SB 813, pages 2255, 2257, 2296, 2606, 2638
- 1965 Acts, act 36, special session, relating to reidentification of voters in Mobile county—
HB 869, page 474
- 1965 Acts, act 71, second special session, providing expense allowances to the circuit judges of the fourteenth judicial circuit—
SB 821, pages 2256, 2258, 2297, 2609, 2639
- 1965 Acts, act 682, regular session, providing expense allowances for the circuit judges of the fourteenth judicial circuit—
SB 820, pages 2256, 2258, 2297, 2609, 2639
- 1971 Acts, act 69, third special session, providing an expense allowance for the treasurer of Walker county—
SB 818, pages 2256, 2258, 2296, 2608, 2639
- 1971 Acts, act 104, first special session, relating to the expense allowance for the circuit clerk of Walker county—
SB 822, pages 2256, 2258, 2297, 2610, 2639
- 1971 Acts, act 137, regular session, relating to the superintendent of education of Marengo county—
HB 793, pages 381, 696, 806, 1673, 1742, 1791
- 1971 Acts, act 926, regular session, relating to an expense allowance for the tax collector in Walker county—
SB 817, pages 2256, 2258, 2296, 2608, 2639
- 1971 Acts, act 928, regular session, relating to expense allowance for tax assessor in Walker county—
SB 815, pages 2255, 2258, 2296, 2607, 2639
- 1971 Acts, act 1695, regular session, section 8, relating to a civil service system for the sheriffs department in Lauderdale county—
HB 960, pages 704, 928, 1023
SB 615, pages 1163, 1164, 1538, 1713, 1800, 2415, 2624
- 1971 Acts, act 2400, regular session, providing an expense allowance for the judge of the intermediate court of Walker county—
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- 1973 Acts, act 361, regular session, providing a clerk hire allowance for probate judge in Choctaw county—
HB 290, pages 63, 103, 173

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- 1973 Acts, act 736, regular session, relating to salary supplements for retired circuit judges of the 23rd judicial circuit—
SB 619, pages 1167, 1953, 2092, 2164, 2165, 2185, 2304, 2597, 2624
- 1975 Acts, act 78, fourth special session, relating to beer taxes in Etowah county—
HB 1108, pages 938, 1681, 1821, 2276, 2318, 2478
- 1975 Acts, act 114, third special session, regulating the compensation of the sheriff of Marengo county—
HB 1317, pages 1890, 1947, 2036, 2286, 2435, 2478
- 1975 Acts, act 184, third special session, relating to the office of supernumerary sheriff in Pike county—
HB 972, pages 706, 769, 876, 1699, 1701
- 1975 Acts, act 480, regular session relating to Marengo county prisoners and rehabilitation—
HB 1272, pages 1544, 1680, 1820, 2284, 2438, 2479
- 1975 Acts, act 748, regular session, relating to an expense allowance for the judge of the intermediate court of Walker county—
SB 816, pages 2256, 2258, 2296, 2607, 2639
- 1975 Acts, act 818, regular session, relating to pistol permits in Butler county—
HB 1299, pages 1686, 1863, 1971, 2285, 2439, 2479
- 1975 Acts, act 985, regular session, relating to the Marshall county sheriff's department—
SB 838, pages 1911, 1913, 1955, 2102, 2192
- 1976 Acts, act 244, regular session, relating to the sale of alcoholic beverages in the city of Jacksonville in Calhoun county—
HB 374, pages 78, 1795
- 1976 Acts, act 327, regular session, relating to pistol permits in Butler county—
HB 1299, pages 1686, 1863, 1971, 2285, 2439, 2479
- 1976 Acts, act 580, regular session, relating to the Morgan county board of registrars—
SB 811, pages 2254, 2257, 2296, 2605, 2638
- 1976 Acts, act 714, regular session, relating to the expense allowance for the civil defense coordinator of Lawrence county—
HB 1080, pages 864, 929, 1025, 1672, 1735, 1791

ADAMS, MISS FLORENCE E.

Honored—

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ADDISON HIGH SCHOOL FOOTBALL TEAM

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Alabama national guard, full time employee of state, to be—
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Etowah county, salary increased—
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ADMINISTRATIVE DIRECTOR OF COURTS

Secretaries, two confidential, authorized to appoint—
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Lawyers, from certain other states, admission to, in certain instances, provided—

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HB 117, pages 27, 202

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ALABAMA BUILDING FINANCE AUTHORITY

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ALABAMA CAPITOL BUILDING AUTHORITY

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ALABAMA COUNCIL FOR SCHOOL ADMINISTRATION AND SUPERVISION

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ALABAMA EDUCATIONAL BENEFITS FOR DEPENDENTS OF BLIND PARENTS ACT

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SB 216, pages 1652, 1653, 1958

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Implementation of, provided further for—

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ALABAMA FIRE FIGHTERS PENSION FUND

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ALABAMA FIRE FIGHTERS PERSONNEL STANDARDS AND EDUCATION COMMISSION

Minimum age requirements for applicants, reduced—
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HB 475, pages 142, 195, 535, 1179, 1707, 1859, 1964

ALABAMA FIRE SERVICE COMMISSION

Created—
HB 1153, pages 1016, 1957

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Appropriation for automotive maintenance and repair shop, provided—
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HB 1241, pages 1269, 1680

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HB 1256, pages 1349, 1794
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Malpractice insurance trusts, exempt from—
HB 198, pages 47, 97, 458, 459, 1029, 1056, 1095

University of Alabama in Birmingham, trust established by, exempt from—
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under—
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Alabama state tenure commission, equal representation with A.E.A.,
provided for—
HB 688, pages 313, 512, 804

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tion with A.E.A. on, provided for—
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HB 856, pages 471, 1341, 1858, 1964

ALABAMA STATE TENURE COMMISSION

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- Jefferson county, civic center authority, selling of, in, authorized—
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- Jefferson county, malt or brewed, taxes levied on, portion of, distributed to county board of education—
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- Marengo county, table wine, sale of, to conform with state law—
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- Mobile county, ABC board, five year phase out period for, provided—
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- Mobile county, places selling, closing times on Sunday morning, fixed—
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- Sale of, by private enterprise, and phase out of the alcoholic beverage control board, provided for—
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- Shelby county, malt or brewed, tax levied on—
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- Tuscaloosa county, sale of, outside corporate limits, allowed—
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- Auburn university cooperative extension service, provided—
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HB 960, pages 704, 928, 1023
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CIVIL SERVICE SYSTEM

Calhoun county, prohibited political activities, relating to—
HB 1033, pages 774, 850, 971, 1677, 1783, 1781
Cities 2,500 or more population, county, police officers in, included
under—
HB 926, pages 530, 846, 1288, 2486, 2507, 2754
Cities 300,000 or more population, in, established—
HB 1061, page 780
Fayette county, law enforcement officers, provided—
SB 853, pages 2252, 2253
Jefferson county, established in, relating to—
HB 444, pages 114, 842, 947, 952, 2486, 2506, 2754
HB 953, pages 703, 1864, 1976, 2523, 2541, 2754
HB 1245, page 1270
Jefferson county, procedure for appeal, changed—
HB 670, pages 264, 1264, 1382, 1556
Jefferson county, to include handicapped persons—
HB 14, pages 10, 930, 1031, 2485, 2506, 2754
Marion county, law enforcement officers, provided—
SB 854, pages 2248, 2250
Municipalities, firefighters, included in—
HB 561, pages 156, 514

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Appropriation, provided—
HB 614, page 210
Payment to, provided for—
HB 298, page 64

CLARKE COUNTY

Pistol permit fee, fixed—
HB 1052, pages 778, 1007, 1115, 1677, 1783, 1791

CLARK, WILLIAM M.

Congratulated—

HJR 69, pages 274, 325, 490, 522, 640

CLASSROOM TEACHER

Redefined

HB 740, page 259

CLASS III PROPERTY

Ad valorem tax rate, decrease of, provided for—

HB 719, page 318

CLAYBROOK, C. W.

Commemorated—

SJR 354, pages 2409, 2624

CLAY COUNTY

Board of equalization, expense allowances, regulated—

HB 1369, pages 1960, 2029, 2207, 2537, 2568, 2754

County engineer, land surveyor, need not be—

HB 806, pages 417, 466, 739, 2577, 2635, 2755

County jail, criminals in, rehabilitation of, provided for—

HB 382, pages 79, 205, 281, 488, 492, 640

Probate judge, tax assessor, tax collector, circuit court clerk and register, method of compensation, changed—

HB 135, pages 32, 103, 170, 402, 403, 462

Voting lists, purged—

HB 1223, pages 1192, 1795, 1925, 2275, 2320, 2478

CLEANING SERVICES BUSINESS

Employment in, regulated—

HB 1162, page 1017

CLEBURNE COUNTYAd valorem taxes, increase in, payment to, provided for, because of—
HB 866, pages 473, 515, 744

Barbers and barber colleges, registration and licensing of, act requiring, exempt from—

HB 40, pages 14, 103, 169

Board of education, compensation and expenses, provided for—

HB 1301, pages 1686, 1863, 1984, 2282, 2432, 2478

Board of equalization, compensation, regulated—

HB 1370, pages 1960, 2029, 2207, 2537, 2568, 2754

Coroner, expense allowance, provided—

HB 52, pages 16, 103, 169, 402, 403, 462

Little league athletic programs, appropriation from county, to, provided—

HB 137, pages 32, 103, 170, 488, 492, 640

Probate judge's office, clerk hire allowance, provided—

HB 51, pages 16, 103, 169, 402, 403, 462

CLEBURNE COUNTY (Continued)

Probate judge, tax assessor, tax collector, method of compensation,
changed—

HB 782, pages 380, 412, 483, 1057, 1064, 1095

Sheriff and county commission, salaries, provided for—

HB 1247, pages 1271, 1347, 1559, 2284, 2437, 2479

CLEBURNE COUNTY RESCUE SQUAD

Sales and use taxes, exempt from—

HB 138, pages 32, 204

CLERGYMEN

Privileged communication with, provided for—

HB 545, pages 153, 1181

CLERICAL ASSISTANCE

Elmore county, officers, additional authorized—

HB 997, pages 711, 849, 965, 2271, 2292, 2477

CLERK HIRE ALLOWANCE

Cleburne county, probate judges office, provided—

HB 51, pages 16, 103, 169, 402, 403, 462

CLERK OF THE JURY COMMISSION

Lauderdale county, salary, set—

HB 1084, pages 865, 1007, 1116, 2276, 2318, 2478

CLEVELAND, DR. M. C.

Commended—

HJR 13, pages 86, 215, 231, 251

CLINICAL FACILITIES

Retirement homes or apartments, operated with nursing homes, to
include—

HB 1291, pages 1685, 1957

COAL SEVERANCE TAX

Bibb county, excise and privilege, levied on—

HB 531, pages 151, 206, 280, 2550, 2619, 2755

Blount county, levied—

HB 203, pages 48, 139, 220

Cherokee county, levied—

HB 1255, pages 1349, 1863, 1970

Constitutional amendment provided to authorize state to levy—

HB 644, pages 260, 1002, 1706, 1858, 1963, 1997, 2006

Fayette county, levied—

HB 1169, pages 1105, 1184, 1290

Jefferson county, levied—

HB 202, pages 48, 256, 331, 342

Rate of, increased—

HB 901, pages 526, 835, 925, 988, 990, 1000

COAL SEVERANCE TAX (Continued)

State, authorized to levy and collect—

HB 643, pages 260, 520, 832, 833, 916, 922, 925, 973, 975, 976, 2393, 2475, 2753

Tuscaloosa county, levied—

HB 632, pages 258, 311, 389

COAL SURFACE MINING

Congress, memorialized to allow regulations to remain in hands of states—

SJR 281, pages 2018, 2024, 2025, 2188

Explosives, use of, in, regulated—

HB 206, pages 49, 88, 253

COATS, SANDRA

Commended—

HR 589, page 2498

COBB MEMORIAL HOSPITAL

Commended—

HR 533, pages 1878, 1966

COCA-COLA BOTTLING COMPANY OF MOBILE

Commended—

HR 481, page 1530

COCHRAN, LEIGH

Commended—

HR 605, page 2510

CODE

New 1975, distribution of, provided for—

HB 576, pages 159, 303, 998, 1052, 1850, 1875, 1940

CODE COMMISSIONER

Mistake in 1975 Code, authorized to correct—

HB 717, pages 318, 363, 447, 1055, 1066, 1095

CODE OF ALABAMA 1940, AMENDED

Section 40-25-23, authorizing the use of revenues derived from certain taxes to retire bonds issued by the state industrial development authority—

HB 1213, pages 1189, 1266, 1859, 1965

Title 2, sections 25 and 27, relating to membership of the state board of agriculture and industries—

HB 568, pages 157, 307

Title 2, section 172, relating to the regulation of cotton gins—

HB 569, pages 157, 307

Title 2, section 570, increasing the filing fee on persons who operate public warehouses—

HB 567, pages 157, 308

CODE OF ALABAMA, AMENDED (Continued)

- Title 2, section 590, relating to testing and calibrating weights and measures—
HB 563, pages 156, 306
- Title 2, section 630, increasing the annual permit fee for weigh-masters—
HB 565, pages 157, 306
- Title 3, section 71, increasing the amount charged for the care of a lost animal—
HB 900, pages 526, 694
- Title 5, section 18, requiring annual audits of state banks—
HB 363, pages 76, 138
- Title 5, section 27, relating to call reports by state banks—
HB 635, pages 258, 306
- Title 5, section 176, relating to converting a national bank into a state bank—
HB 367, pages 77, 138
- Title 5, section 185, relating to eligibility requirements of directors of banks or trust companies organized under state law—
HB 636, pages 258, 306
- Title 5, section 244, relating to the savings and loan board—
HB 407, page 108
- Title 5, section 251, relating to supervision fees and assessments paid by savings and loan associations—
HB 366, page 77
- Title 7, section 625, raising the homestead exemption from the collection of debts—
HB 554, page 116
- Title 7, section 629, relating to the exemption of property from the collection of debts—
HB 552, pages 115, 693
- Title 7, section 665, relating to personal property exemption on the estate of a deceased—
SB 395, pages 1922, 1923, 2183, 2487
- Title 8, section 30, relating to forms of acknowledgment of conveyance—
HB 608, pages 209, 303
- Title 8, sections 39, and 40, relating to non-resident fishing licenses—
HB 341, pages 73, 102, 832, 833, 914, 1850, 1874, 1940
- Title 8, sections 39, 40 and 41, increasing issuance fees for non-resident fishing licenses—
HB 684, pages 267, 694, 925, 999, 1100, 1132, 2701, 2725, 2756
- Title 8, sections 39, 40, 41, relating to non-resident fishing licenses—
HB 391, pages 105, 848
- Title 8, section 57, relating to the appointment of deputy game and fish wardens—
HB 571, pages 142, 215, 254

CODE OF ALABAMA, AMENDED (Continued)

- Title 8, section 86, relating to nighttime hunting of raccoons and opossums—
HB 621, pages 211, 254
- Title 8, section 91, relating to trapping fur-bearing animals—
HB 99, pages 23, 101, 925, 999, 1100, 1178, 1706, 1858, 1963, 1989, 2574, 2621, 2758
- Title 11, section 98, increasing jurors compensation—
HB 525, page 150
- Title 11, section 98, relating to jurors fees—
HB 424, pages 110, 196, 999, 1101, 1178, 1706, 1858, 1875, 2588, 2636, 2755
- Title 14, section 9, relating to the regulation of abortions—
HB 120, pages 29, 97
- Title 14, section 49, increasing the crime of blackmail from a misdemeanor to a felony—
HB 329, pages 71, 95, 347
- Title 14, section 171, relating to the punishment for shooting firearms or throwing missiles into buildings—
HB 897, page 525
- Title 14, sections 327, 328 and 329, to include secondhand stores and swap shops—
HB 214, page 51
- Title 14, sections 331 and 334, relating to grand and petit larceny—
HB 240, page 55
- Title 15, section 44, increasing the amount that may be offered as rewards—
HB 420, pages 109, 205, 832, 833, 904, 2485, 2503, 2754
- Title 15, section 45, increasing the amount that can be offered as rewards—
HB 419, pages 109, 205, 832, 833, 904, 2485, 2503, 2754
- Title 15, sections 145, 146 and 147, relating to bonds required of witnesses—
HB 270, pages 59, 198
- Title 15, section 389, relating to review by the supreme court and the court of criminal appeals regarding any disproportionate severity of sentence—
HB 268, pages 59, 1004
- Title 16, chapter 13, article 3, section 16-13-56, relating to funds for the minimum school program—
HB 716, pages 318, 363
- Title 17, sections 12, 14, 15, 16, 29, 35, 37, 38, 40, 43 and 53, relating to the registration of voters—
HB 110, page 25
- Title 17, sections 12-55, relating to voter registration—
HB 171, pages 40, 695, 1179, 1707, 1858, 1964
- Title 17, section 16, relating to the restoration of certain civil and political rights of persons convicted of crimes—
HB 68, page 18

CODE OF ALABAMA, AMENDED (Continued)

- Title 18, sections 32 and 33, relating to electric cooperatives—
HB 274, pages 60, 198, 926, 999, 1101, 1178, 1706, 1858, 1963, 2008
SB 285, pages 1164, 1261, 2008, 2187
- Title 22, chapter 7, sections 206, 207, 211 and 223, abolishing the Alabama dairy commission—
HB 931, pages 531, 947
SB 614, pages 1659, 1661
- Title 22, sections 347(a) and 350(a), defining the jurisdictions of county and municipal governments in solid waste disposal and collection—
HB 98, pages 23, 514
- Title 23, section 36, relating to the highway department to regulate markers, signs and advertising on the rights-of-way of state highways—
HB 642, pages 260, 514
- Title 26, chapter 4, sections 185, (a) (b) (c) (d) (e) (g) (h) (k) (l) (m) and (n) of 186, 191, (d) (e) (f) of 201, paragraph 1 of (a) paragraph 3 of (c) and paragraph 4 of (g) of 204, (b) of 205, 209, 224, 225 and 251, amending the Alabama unemployment compensation act—
HB 600, pages 208, 521, 999, 1100, 1706, 1751, 1785, 1826, 2575, 2616, 2630
- Title 26, section 3, providing insurance coverage for employees of the department of industrial relations comparable to workmen's compensation—
HB 597, pages 207, 520
- Title 26, section 8, chapter 1, relating to the board of appeals for the department of industrial relations—
HB 599, pages 207, 520
- Title 26, section 93, providing choice of physicians under workmen's compensation—
SB 260, pages 1652, 1653, 1946, 2264, 2487, 2740
- Title 26, sections 191, 204 and 207, and repealing sections 202 and 203, relating to unemployment compensation—
HB 805, page 417
- Title 26, section 204, relating to unemployment compensation for seasonal employees—
HB 807, page 717
- Title 26, section 261, relating to retaining attorneys in workmen's compensation cases—
HB 898, page 526
- Title 26, section 262, relating to workmen's compensation—
HB 737, page 372
- Title 26, sections 262 and 293, providing that chiropractors be included as physicians under the workmen's compensation law—
HB 515, pages 149, 303
- Title 26, section 263, including employees of county and city boards of education in the workmen's compensation law—
HB 776, pages 379, 1677

CODE OF ALABAMA, AMENDED (Continued)

- Title 26, section 263, to exclude professional athletes from coverage under the workmen's compensation law—
HB 164, pages 39, 93
- Title 26, sections 279, 283, 289 and 293, increasing workmen's compensation benefits—
HB 745, page 374
- Title 27, section 3, relating to adoptions—
HB 410, pages 108, 197, 1859, 1965
- Title 28, sections 282 and 285, relating to credit unions—
HB 154, pages 37, 90, 227, 1157, 1199, 1253
- Title 28, sections 290 and 291, relating to credit unions—
HB 154, pages 37, 90, 227, 1157, 1199, 1253
- Title 29, section 1(g)-1, relating to wines and cooking wines—
HB 631, page 258
- Title 29, section 12, alcoholic beverages, advertising of by billboard in "wet" counties, permitted—
HB 868, pages 474, 837
SB 532, pages 1658, 1659, 2026, 2264, 2487, 2737, 2741
- Title 29, section 131, to allow the purchase of wine making kits—
SB 323, pages 1652, 1653, 2183, 2487
- Title 30, section 40, relating to the establishment of foreign trade zones—
HB 1158, pages 1017, 1183, 1706, 1858, 1963, 1988, 2418, 2471, 2479
- Title 30, section 86, title 13, section 263, relating to records of evidence presented to a grand jury—
HB 679, page 266
- Title 32, section 13, relating to mileage pay of legislative interim committees—
HB 423, pages 110, 302, 858, 1706, 1858, 1963
- Title 33, sections 9 and 19, relating to filing a notice of lien for taxes—
HB 1175, pages 1107, 1678
- Title 33, section 37, including land surveying and engineering services under mechanics and materialmans liens—
HB 993, pages 710, 1183, 1964, 2122
- Title 33, section 64, relating to mechanic's liens—
HB 122, pages 29, 838
- Title 35, section 187, relating to the corporate body of the armory commission—
HB 656, pages 262, 410, 1178, 1706, 1858, 1964, 2160, 2161
SB 544, pages 1918, 1919, 1945, 2160, 2190
- Title 36, section 2, increasing the fine for driving while intoxicated—
HB 93, pages 22, 197
- Title 36, section 34, relating to tire equipment on motor vehicles—
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- Title 36, section 52(1) (a), relating to persons arrested for violation of motor fuel laws—
HB 523, pages 150, 305
- Title 36, section 64, relating to learner's permits—
HB 592, pages 206, 305
- Title 36, section 68, relating to the revocation of drivers licenses—
HB 94, pages 22, 88, 180, 406
- Title 36, section 70, relating to the suspension of driving privileges—
HB 1094, page 867
- Title 36, section 90, relating to size and weight of motor vehicles—
HB 1092, pages 866, 1345
- Title 36, section 91, relating to special permits for oversize and overweight vehicles—
HB 361, pages 76, 92, 249, 1904, 1932, 1941, 2417, 2467, 2475, 2753
- Title 37, section 10, relating to the incorporation of unincorporated communities—
HB 168, pages 40, 100
- Title 37, section 10, relating to the incorporation of unincorporated communities in Jefferson county—
HB 188, page 44
- Title 37, section 10, relating to the incorporation of unincorporated municipalities on islands in Mobile county—
SB 304, pages 1162, 1163, 1952, 2195, 2243
- Title 37, section 747, authorizing municipalities to levy an increased license tax on banks and branch banks—
HB 112, pages 25, 92, 827, 925, 996, 998, 1053
- Title 38, section 77, relating to the pay of pilots—
HB 433, pages 112, 205, 277, 1019, 1053, 1095
- Title 41, section 2, section 152, regulating salaries payable to certain state officers and employees—
HB 800, page 383
- Title 42, section 16 and 18(2), relating to the restoration of certain civil and political rights of persons convicted of crimes—
HB 68, page 18
- Title 45, section 144, increasing the prisoner feed allowance in county jails—
HB 75, pages 19, 509
HB 196, pages 47, 93, 832, 833, 834, 925, 980, 2322, 2470, 2479
- Title 46, section 24, providing further for the election of officers of the State Bar—
HB 920, pages 529, 837
- Title 46, section 70, relating to the state licensing board for general contractors—
HB 23, page 11
- Title 46, section 259, relating to the state board of medical examiners granting certificates of qualification to practice medicine—
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CODE OF ALABAMA, AMENDED (Continued)

- Title 46, section 269, relating to certificates of qualification to practice medicine for physicians in residency training programs—
HB 301, pages 65, 96, 999, 1101, 1178, 1706, 1858, 1964, 2127
- Title 46, section 366, relating to the professional corporation act—
HB 207, pages 49, 97
- Title 48, section 52, defining the reasonable value of a public utilities property—
HB 347, pages 74, 192, 832, 833, 883, 887
- Title 48, section 82, providing for judicial review of proceedings on appeal from orders of the Alabama public service commission—
HB 394, pages 104, 308, 1706, 1830, 2464, 2474, 2480
- Title 48, section 182, requiring a revolving power headlight on locomotives—
HB 519, page 149
- Title 48, section 431, relating to the duties of the superintendent of a railroad—
HB 520, page 149
- Title 49, chapter 4, by adding 6A, interstate compact on the placement of children—
HB 408, pages 108, 197
- Title 51, chapter 18, section 425, relating to excise tax on financial institutions—
HB 873, pages 474, 689, 1859, 1965
- Title 51, section 2, relating to ad valorem taxation, exempting property owned by loyal order of Moose—
HB 518, pages 149, 837, 926, 999, 1101, 1178, 1706, 1858, 1963, 1997
- Title 51, section 15, increasing homestead exemptions from ad valorem taxes—
HB 74, page 19
HB 134, page 32
HB 348, pages 74, 91, 236, 290, 295, 323
HB 352, pages 75, 193, 484, 485, 502
- Title 51, section 17, to include Sumter and Choctaw counties in table having special ad valorem rates—
HB 289, pages 63, 140, 223
- Title 51, section 21, placing a tax lien on heavy duty equipment brought into the state—
SB 401, pages 1165, 1166, 1681, 2183, 2229, 2264, 2428, 2431, 2463, 2492
- Title 51, section 46, relating to the assessment of taxes—
HB 351, pages 75, 193, 484, 485, 501
- Title 51, section 94, increasing the compensation of boards of equalization—
SB 409, pages 1659, 1661, 1869
- Title 51, section 188(9), relating to the disposition of the utility licenses—
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- Title 51, section 262, relating to the sale of land for ad valorem taxes—
HB 750, pages 375, 839
- Title 51, sections 347 and 350, increasing the domestic franchise tax—
HB 965, pages 705, 835, 925, 992
- Title 51, section 348 A, increasing the foreign corporation franchise tax—
HB 964, pages 705, 835, 925, 991, 1008
- Title 51, section 385, relating to state income tax deductions—
HB 1205, page 1187
- Title 51, section 388, exempting retirement pay of retired employees of the Tennessee Valley Authority from state income tax—
HB 1176, page 1107
- Title 51, section 413, relating to the state income tax law—
HB 522, pages 150, 304
- Title 51, section 429, to eliminate restrictions against levy and assessment of excise or license taxes by municipalities and counties—
HB 113, pages 26, 92, 925, 998, 1054
- Title 51, section 606, reducing the privilege license tax on trading stamps—
HB 1120, pages 940, 1002
- Title 51, section 647, relating to the excise tax on gasoline used in aviation—
HB 220, pages 52, 93, 925, 999, 1100, 1133, 2598, 2635, 2755
- Title 51, sections 665 (39) through 665 (54), relating to violations of motor fuel laws—
HB 523, pages 150, 305
- Title 51, sections 706 and 709, relating to reporting change of ownership of motor vehicles—
HB 1209, pages 1188, 1680
- Title 51, section 712, extending the time limit by 10 days which the probate judge has to disburse monies received for motor vehicle licenses—
HB 104, pages 24, 88, 177, 1055, 1066, 1095
- Title 51, section 788, relating to excise tax on materials used in maintenance of aircraft—
HB 162, page 39
- Title 51, section 847, extending the time limits by 10 days for reporting by probate judges of monies received—
HB 103, pages 24, 88, 177, 1029, 1056, 1095
- Title 52, section 17, to include the teaching of sign language in high schools—
HB 594, pages 207, 1006, 1804
- Title 52, section 37, pertaining to the power of the state board of education to borrow money—
HB 467, pages 141, 196, 796, 925, 999, 1100, 1150, 2465, 2474, 2480
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CODE OF ALABAMA, AMENDED (Continued)

- Title 52, sections 54, 159, and 192, relating to taking a school census—
HB 803, pages 383, 513, 999, 1101, 1178, 1706, 1858, 1964
- Title 52, section 62, broadening the authority of county boards of education—
HB 260, page 58
HB 653, page 262, 692
- Title 52, section 103, relating to qualifications of a county superintendent of education—
HB 429, page 111
- Title 52, sections 136 and 197, relating to sick leave for teachers—
HB 172, pages 41, 509, 2120, 2573, 2620, 2755
- Title 52, section 151, increasing the compensation of the Birmingham board of education—
SB 474, pages 1842, 1845, 2298, 2701, 2748
- Title 52, section 158, broadening the authority of city boards of education—
HB 261, page 58
HB 654, pages 262, 692
- Title 52, section 162, relating to kindergartens and playgrounds—
HB 802, pages 383, 513
- Title 52, section 215 (a4), to change average daily attendance period from school year to first five scholastic months—
HB 316, pages 68, 98, 363, 442, 1231, 1258, 1790
- Title 52, section 298, relating to the minimum age children may enter school—
HB 925, page 530
- Title 52, section 352, providing that a teacher with tenure may retain such status when transferring school systems—
HB 739, pages 373, 1537
- Title 52, sections 358, 359 and 361, relating to teacher employment—
HB 59, pages 17, 1006
- Title 52, section 366, relating to teachers' retirement benefits, providing further for disability retirement—
HB 55, page 16
- Title 52, section 367, relating to the board of control of the teachers' retirement system—
HB 689, pages 313, 1946
HB 1262, page 1351
- Title 52, section 520, relating to appointment of a board of trustees of Alabama Institute for the Deaf and Blind—
HB 56, pages 16, 98, 926, 999, 1101, 1178, 1706, 1858, 1963, 1997, 2140, 2141
SB 269, pages 1922, 1923, 1946, 2140, 2190
- Title 52, section 555, requiring health education in all public, private or parochial schools—
HB 811, page 418
- Title 55, chapter 9, revising the state merit system—
HB 971, pages 706, 1346

CODE OF ALABAMA, AMENDED (Continued)

- Title 55, section 168, relating to fees charged by the Secretary of State—
HB 762, page 376
- Title 55, section 299, relieving the personnel director of the duty of publishing the names and addresses of state employees—
HB 275, pages 60, 204
- Title 55, section 317, allowing a state government employee to run for municipal office—
HB 452, pages 115, 693
- Title 55, section 317, removing the prohibition on state employees engaging in political activities—
HB 48, page 15
HB 863, pages 473, 512
- Title 55, section 343, providing an increase in the awarding authority of the state board of adjustment—
HB 611, pages 209, 510, 1178, 1226, 2598, 2635, 2755
- Title 61, section 119, relating to suits commenced against administrators or executors—
SB 288, pages 1660, 1661, 2026
- Title 61, section 193, increasing the fee paid to appraisers of decedents personal estates—
HB 90, pages 22, 88, 179
- Title 62, section 167, to abolish the office of coroner in Jefferson county—
HB 1064, pages 860, 1538, 1717
SB 702, pages 1843, 1845, 2030, 2205, 2244
- Title 148, section 170, relating to the duties of a railroad locomotive engineer—
HB 427, pages 110, 307

CODE OF ALABAMA 1940, REPEALED

- Title 2, sections 56-68, relating to commercial feeds—
HB 1287, page 1684
- Title 2, sections 621-633, providing for the licensing of certified public weighers—
HB 929, pages 531, 695, 925, 999, 1097, 1178, 1229, 1232
- Title 9, section 21, validating deeds or conveyances of land executed on Sunday—
HB 755, pages 262, 692
- Title 13, sections 132-137, relating to certain corporations—
HB 355, page 75
SB 54, pages 1657, 2184, 2487
- Title 14, sections 420, 421 and 422, relating to certain acts prohibited on Sundays—
HB 107, pages 24, 1004, 1179, 1706, 1858, 1964
- Title 15, section 148, relating to bonds required of witnesses—
HB 270, pages 59, 198

CODE OF ALABAMA 1940, REPEALED (Continued)

Title 15, sections 249 and 319, relating to jointly indicted defendants—
HB 365, page 77

Title 17, section 145, relating to elections—
HB 150, pages 35, 99, 832, 833, 908

Title 17, sections 268-286, relating to laws prohibiting private corporations and utilities from making campaign contributions—
HB 151, pages 35, 308, 999, 1100, 1178, 1233, 1259, 1295, 1324, 1522, 1526, 1531, 1532

Title 29, sections 10 and 11, relating to monies derived from the sale of alcoholic beverages—
HB 1076, pages 863

Title 29, section 36, subsection 3, relating to alcoholic beverages and election day—
HB 1265, page 1351

Title 30, sections 3, 4, 15, 18, 20, 21 and 24, providing for the qualifications and selection of jurors—
HB 638, pages 259, 1004

Title 47, sections 116, 117 and 118, relating to recording and indexing affidavits relating to title to land—
HB 871, page 474

Title 48, section 109, relating to filing with the public service commission a list of all railroad tickets, passes and mileage books issued free—
HB 426, pages 110, 168, 307, 1859, 1964

Title 62, section 145, relating to the filling of a vacancy on the governing body of Jefferson county—
HB 950, pages 702, 1263, 1377, 2486, 2507, 2754

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New, for the State of Alabama, provided—
HB 100, pages 23, 88, 176, 276, 284, 300

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Continuing, provided for—
HB 101, pages 23, 88, 176

COFFEE COUNTY

County commission, expense allowances, regulated—
HB 977, pages 707, 770, 877, 1675, 1744, 1790

County commission, personnel to maintain current property values, authorized to hire—
HB 976, pages 707, 770, 879, 1675, 1744, 1791

Courthouse moved—
HB 29, pages 12, 102, 171

COGGINS, MR. & MRS. CURTIS J.

Commended—
HR 443, pages 1094, 1103

COLBERT COUNTY

Board of registrars, compensation increased—
HB 507, pages 147, 254, 327, 488, 492, 640

County commission, meeting dates changed—
HB 1278, pages 1545, 1706, 1926

COLEMAN-BANKS HOUSE

Greene county historical society, transferred to—
HB 1227, pages 1193, 1347, 1813, 2275, 2321, 2478

COLLECTIVE BARGAINING

Firefighters, provided for—
HB 466, pages 141, 512

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State employees, provided—
HB 418, pages 109, 512

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Alabama A & M University, president of, for construction of a residence, appropriation provided—
HB 388, pages 105, 837, 1001

Diploma, qualified elector, must be, to obtain, provided for—
HB 538, page 152

Eminent domain, certain granted—
HB 390, pages 105, 691, 925, 999, 1100, 1131, 1706

Management effectiveness and efficiency of, commission to study, created—
HB 65, pages 18, 1003, 1859, 1965

Marion institute, appropriation, provided—
HB 79, pages 19, 90, 231

Residency requirements, if parent is U. S. Senator or Congressman or employee of executive branch of federal government, provided for—
HB 902, page 526
SB 105, pages 1160, 1161, 1537, 2264, 2423, 2492

Sixty-five year olds, tuition, exempt from—
HB 272, pages 60, 98

Special education trust fund, supplemental appropriation to, for fiscal year ending September 30, 1977, to certain, provided—
HB 28, pages 12, 1957

Talladega college, appropriation, provided—
HB 73, page 19
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Tuition, and textbook costs of child of law enforcement officer or firefighter killed in the line of duty, payment of, provided for—
HB 80, pages 20, 93, 925, 999, 1100, 1130

Tuskegee Institute, appropriation, provided—
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Walker county junior college, appropriation, provided—
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HJR 455, pages 1172, 1848, 1886, 1940

COLUMBIA ALABAMA STATE DOCKS

E. E. Wakefield, named for—
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State employees and officers, to be reimbursed for tourist fare only—
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Manufacture and distribution of, relating to—
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HB 360, pages 76, 254

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Insurance agent, terminating employment, retiring license, issued by, to, provided for—
HB 469, pages 142, 364

Insurance companies, allowed to place under an order of supervision—
HB 225, pages 52, 138, 1179, 1706, 1858, 1963, 2001
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COMMISSION ON HIGHER EDUCATION

Powers, duties and authority of, provided further for—
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COMMISSION ON INTERGOVERNMENT COOPERATION

Legislative council, duties transferred to—
HB 1077, pages 864, 1265

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Legislature, composed of both houses, to review rules, regulations and decrees by agencies of state government, created—
HB 306, page 66

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SJR 240, pages 246, 271

COMMITTEE ON PUBLIC UTILITIES

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SB 458, pages 1789, 1790

COMMITTEE TO STUDY MEDICARE AND MEDICAID COSTS

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HJR 497, pages 1686, 2751, 2752, 2756

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Alabama members attending, appropriation to pay expenses, provided—

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Performance report date, changed—

HB 1347, pages 1897, 1958

COMPTON, COLONEL LOUIS J.

Death of, mourned—

HJR 326, pages 531, 1077, 1092, 1154

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Gasoline tax referendum, to be held—

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Indigent hospital service, provided for—

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Repton, bank in, branch banks, allowed to operate in—

HB 393, pages 105, 139, 221, 488, 492, 640

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HB 682, page 266

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HJR 548, page 2034

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Cast net fishing licenses, non-resident, for, provided—
HB 472, pages 142, 694

Commercial fishing gear, license number, name and address of owner,
to be attached to—
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Deer meat, unauthorized sale of, penalties for, prescribed—
HB 911, pages 528, 694

Department of, conservation enforcement officers, compensation of,
regulated further—
HB 895, pages 525, 1677, 2171

Department of, law enforcement officers of, employees retirement
system, included in—
HB 1307, page 1803

Deputy game and fish wardens, provided for—
HB 571, pages 158, 254

Fish, taking of, by gill or trammell nets, prohibited—
HB 71, pages 19, 847, 1707, 1858, 1964

Foxes and raccoons, trapping of, prohibited—
HB 148, page 35

Fur-bearing animals, trapping of, license fee for, increased—
HB 99, pages 23, 101, 925, 999, 1100, 1178, 1706, 1858, 1963, 1989,
2574, 2621, 2758

Game wardens, deputy, arrest fee to be taxed on convictions—
HB 711, page 317

Illegal deer hunting, confiscation of equipment, provided for—
HB 80, pages 708, 848

Jefferson county, traps, certain, use of prohibited—
HB 480, page 143
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Marine dealership practices, certain, regulated—
HB 1148, pages 1015, 1260, 1806

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Non-resident fishing licenses, fees increased, references to race, deleted—

HB 684, pages 267, 694, 925, 999, 1100, 1132, 2701, 2725, 2756

Non-resident fishing licenses, penalty for fishing without, relating to—

HB 391, pages 105, 848

Non-resident hunting licenses, sixteen years old, persons under, need not purchase—

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Perry county, deer hunting, illegal nighttime, equipment used in, contraband, declared—

HB 578, pages 159, 201, 277, 389

Seafoods commission, created—

HB 725, page 368

Seafoods, illegally taken, confiscation and sale of, provided for—

HB 854, pages 471, 848

Trapping, regulations, provided—

HB 674, pages 265, 847

SB 602, pages 1917, 1919, 1947

Traps and trapping, provided for—

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Traps, steel leg-hold, sale or use of, prohibited—

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Department of, appropriation provided, for the purpose of acquiring lands for recreational usage—

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Department of, Fort Toulouse site, appropriation for, transferred from, to Alabama historical commission—

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Department of, state parks, and areas in, entrance fee or use fee, prohibited from changing—

HB 375, page 78

Department of, state recreational facilities, sixty-two year olds and older, half fees, allowed to use, for—

HB 425, page 110

Department of, wildlife management area managers, increased allowances, relating to—

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HB 895, pages 525, 1677, 2171

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SB 651, pages 1655, 1657, 1864, 1975, 2116

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HB 1029, page 773
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Jefferson county—
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Baldwin county, firefighting districts in, provided for—
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Buttahatchee river watershed area, relating to—
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Choctaw county, probate judge, tax assessor, tax collector, placed on salary—
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Coffee county, courthouse moved—
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Dauphin Island Parkway, bonds, issuance of, for, provided for—
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Dekalb county, ad valorem tax rates, limits on, placed—
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CONSTITUTION OF ALABAMA 1901, AMENDED (Continued)

Elmore county, home rule, provided—

SB 742, pages 2254, 2257

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HB 46, pages 15, 694, 1179, 1706, 1858

Escambia county, home rule, provided—

HB 708, pages 316, 466, 741

Fifteenth judicial circuit vacancies in, filling of, provided for—

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Governors, former, pension system, provided—

SB 59, pages 1917, 1918, 1956

Jackson county, ad valorem tax rates, limits placed on—

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Jackson county, probate judge, tax assessor and tax collector, salary, placed on—

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Jefferson county, relating to—

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Lauderdale county and municipalities in, home rule, provided—

HB 1099, pages 868, 1007, 1115, 1279

Legislature, registration of electors by mail, legislation providing, empowered to enact—

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Marengo county, port authorities, incorporation of, authorized—

HB 1030, pages 773, 850, 972, 1672, 1737, 1791

Mobile county, penal facility, authorized—

HB 723, pages 368, 843, 949, 2270, 2292, 2477

Mobile county, real property in, ad valorem tax levied on, provided for—

HB 1360, pages 1899, 1951, 2054, 2288, 2437, 2479

Morgan county, constable, office of, abolished—

SB 651, pages 1655, 1657, 1864, 1975, 2116

Municipalities, revenue bonds and securities, issuance of, pertaining to—

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Persons convicted of crimes, after full execution of sentence, civil rights restored—

HB 63, page 17

Pickens county, county offices, consolidated—

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State, authorized to tax coal severance—
HB 644, pages 260, 1002, 1706, 1858, 1963, 1997, 2006

Sumter county, probate judge, tax assessor and tax collector, salary, placed on—
HB 534, pages 152, 411, 480

Tax assessor and tax collector, offices of, consolidated—
SB 642, pages 1167, 1168, 1262, 1373, 1669

Tuscaloosa county, home rule, provided—
HB 231, pages 53, 1794, 1967, 1955, 2035

Tuscaloosa county, municipalities in, home rule, provided—
HB 230, pages 53, 1794, 1967, 1955, 2035

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Article 6, section 148, relating to the judicial compensation commission—
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Chambers county, created—

HB 1074, pages 863, 932, 1048, 1677, 1784, 1791

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Construction companies and contractors, of, limited—

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CONTRACTORS

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Non-resident, to pay all taxes before receiving final payment on contracts—

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COOK, DIANE McBROOMS AND CHRIS

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Franklin county, sheriff, for county jail, authorized to employ—

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Retired employees of, state employees retirement system partial participation of, in, provided for—

HB 442, pages 114, 510, 926, 999, 1101, 1178, 1706, 1858, 1963, 2008, 2010, 2700, 2725, 2756

COOPER, CAPTAIN JACK

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COOPER, REPRESENTATIVE GARY

Appropriation, provided—

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COOPER, ROLAND

Death of, mourned—

HJR 557, pages 2180, 2230, 2238, 2260

SJR 352, pages 2258, 2299, 2432

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Access roads, maintenance of, provided for—

HB 946, pages 702, 769, 876, 1212, 1258, 1790

Alcoholic beverages, malt or brewed, tax on, levied—

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County commission, meeting dates of, provided for—

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HB 1121, pages 940, 1007, 1116, 1671, 1734, 1790

Public law library, established—

HB 1367, pages 1960, 2008, 2197, 2537, 2568, 2754

Raccoons and opossums, night hunting of, providing for—

HB 729, pages 369, 466, 738, 1059, 1067, 1095

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COPE, II, R. E. L.

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SJR 327, pages 2015, 2032, 2188

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Calhoun county, expense allowance, provided—

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- Cleburne county, expense allowance, provided—
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- Mobile county, provided for—
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- Randolph county, deputy, office of, established—
SB 244, pages 433, 434, 465, 735, 792
- Winston county, deputy, office of, created—
HB 1126, pages 941, 1345, 1551, 2277, 2318, 2478

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- Protection against takeovers not providing full material information, provided—
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- Certain, provided for and relating to—
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- Managing, applying for a license, time before eligible, shortened—
HB 516, pages 149, 205, 1179, 1707, 1859, 1964, 2126, 2484, 2503, 2753

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- Counties 600,000 or less population, practice and licensing of, regulated further—
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- Lee county practice of, regulated—
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- Permit fee for operation of, amount, prescribed—
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Cities 23,000 to 27,000 population, allowed to adopt—

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COUNCIL OF THE STATE LAW INSTITUTE

Dean of Miles College Law School, ex officio member of, to become—

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Practice of, regulated—

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Baldwin, delinquent taxpayers, system of serving notice, provided—
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Baldwin, firefighting districts, provided for—

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Baldwin, water well standards act, exempt from—

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Bibb, board of equalization, pay of, regulated—

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Bibb, coal and stone, severance of, excise and privilege tax, levied
on—

HB 531, pages 151, 206, 280, 2550, 2619, 2755

Bibb, commissioners, certain, compensation, increased—

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Bibb, tax assessor and collector, offices of, combined—

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- Bullock, prisoner feed allowance, sheriff, provided—
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- Butler, sheriff, witness and jury subpoenas, mailing of, authorized—
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- Calhoun, civil service board, appointment to, provided for—
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- Calhoun, civil service system, prohibited political activities, relating to—
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- Chambers, board of education, reorganized—
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- Chambers, commission, personnel to maintain current evaluation of property, authorized to employ—
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- Chamber, commission, size of lots, construction of streets, roads and drainage structures, to regulate—
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- Chambers, contingency fund, created—
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- Chambers, officers of, travel expenses, paid—
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- Choctaw, alcoholic beverages, relating to—
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- Choctaw, probate judge, tax assessor, tax collector, placed on salary—
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- Clay, county engineer, land surveyor, need not be—
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Cleburne, probate judges office, clerk hire allowance provided—

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Cleburne, probate judge, tax assessor, tax collector, method of compensation, changed—

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Coffee, county commission, expense allowances, regulated—

HB 977, pages 707, 770, 877, 1675, 1744, 1790

Coffee, county commission, personnel to maintain current property values, authorized to hire—

HB 976, pages 707, 770, 879, 1675, 1744, 1791

Coffee, courthouse moved—

HB 29, pages 12, 102, 171

Colbert, board of registrars, compensation, increased—

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Colbert, county commission, meeting dates, changed—

HB 1278, pages 1545, 1796, 1926

Conecuh, gasoline tax referendum, to be held—

HB 1138, pages 1013, 1102, 1196, 1677, 1784, 1791

Conecuh, indigent hospital service, provided for—

HB 1137, pages 1013, 1262, 1370, 2273, 2319, 2478

Conecuh, Repton, bank in, branch banks, allowed to operate in—

HB 393, pages 105, 139, 221, 488, 492, 640

Coosa, alcoholic beverages, malt or brewed, tax on, levied—

HB 398, pages 106, 139, 222, 719, 724, 767

Coosa, county commission, terms of office, fixed—

HB 1368, pages 1960, 2029, 2198, 2537, 2568, 2754

Coosa, public law library, established—

HB 1367, pages 1960, 2028, 2197, 2537, 2568, 2754

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- Court finances, clerical office supplies, cost of reimbursement to, by state, regulated further—
HB 575, pages 142, 195, 535, 1179, 1707, 1859, 1964
- Covington, governing body of, expense allowance, provided—
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HB 252, pages 115, 693
- Crenshaw, probate judges and sheriffs offices, employment in, provided for—
SB 408, pages 433, 434, 466, 739, 793
- Crenshaw, property values, personnel to maintain current, to employ—
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- Cullman, commission, motor fuels, additional tax on, to levy—
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- Cullman, county commission, structure of, reorganized—
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- Cullman, flea markets, Sunday, allowed to stay open on—
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- Cullman, Lewis Smith lake, in, strip mining near, prohibited—
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- Cullman, roads and bridges, highway department, divested of certain functions, relating to—
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- Cullman, sheriff, office of, employment system for, provided—
HB 1131, pages 942, 1184, 1284
- Dale, commission, roads and streets, planning and construction of, to regulate—
HB 1228, pages 1267, 1347, 1558, 2398, 2470, 2479
- Dale, jurors, one-to-one striking of, provided for—
HB 262, pages 58, 122, 928, 1021
- Dale, probate judge, tax assessor, tax collector, salaries, set—
HB 1296, pages 1685, 1796, 1927, 2286, 2439, 2479
- Dallas, district judge, salary supplemented—
HB 1233, pages 1268, 1347, 1558, 2275, 2321, 2478
SB 825, pages 2257, 2258
- Dallas, roads and rights-of-way leading to private dwellings, county governing body, given powers in regard to—
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- Dallas, vehicles and equipment used in illegal hunting, contraband, declared—
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- Dekalb, board of equalization, board of registrars and jury commission, salaries regulated—
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- Dekalb, explosives, use of, in surface mining, regulated—
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- Dekalb, gasoline excise tax, proceeds distributed—
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- Elections held in, authorizing special taxes, validated—
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- Elmore, deputy sheriffs, provided for—
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- Elmore, home rule, provided—
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- Elmore, officers, clerical help, additional authorized—
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- Elmore, superintendent of education, compensation and expense allowance for, provided for—
HB 1135, pages 943, 1862, 1969, 2009, 2273, 2319, 2478
- Elmore, trial of state inmates, costs of, appropriation provided for—
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- Escambia, law enforcement officers, merit system, provided—
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- Escambia, merit system for, established—
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- Etowah, alcoholic beverages, malt or brewed, tax, levied on—
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- Etowah, board of education, malt or brewed beverages, power to borrow against revenues derived from, provided for—
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- Etowah, boards of education in, procedure for obtaining loans, regulated further—
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- Etowah, branch banks, provided for—
HB 406, pages 108, 256, 332, 2533
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COUNTIES (Continued)

Etowah, probate judges, retired, retirement benefits, payment of, provided for—

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Etowah, sheriffs department, full time employees of, expense allowances, provided—

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Fayette, coal severance tax, levied—

HB 1169, pages 1105, 1184, 1290

Greene, historical society, Coleman-Banks house, transferred to—

HB 1227, pages 1193, 1347, 1815, 2275, 2321, 2478

Greene, taxes, additional for, hospital and nursing home, referendum held on—

HB 1226, pages 1192, 1862, 1969, 1985, 2275, 2320, 2478

Hale, governing body, meeting times of, provided for—

HB 1318, pages 1890, 1948, 2037, 2286, 2435, 2478

Hale, table wine, sale of, to conform with state laws—

HB 1267, pages 1352, 1796, 1928, 2284, 2437, 2479

Henry, district judge, vacancy in, filling of, provided for—

HB 1230, pages 1267, 1862, 1969, 2283, 2434, 2478

Houston, class III property, assessment rate of taxation on, decreased—

HB 928, pages 530, 809, 2268, 2294, 2477

Industrial or commercial parks, power to acquire and develop, granted—

HB 41, pages 14, 101, 338, 2466, 2476, 2753

Industrial revenue bonds, issuance of, notification procedure for, required—

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Industry and trade, purpose of promoting, incorporation of non-profit public corporations for, authorized—

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Jackson, probate judge, tax assessor, tax collector, salary, placed on—

HB 891, pages 524, 697, 808, 1654, 1745, 1791

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Jefferson, alcoholic beverages, malt or brewed, sales territories, established—

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Jefferson, Bessemer cut-off, area of, voter registration, provided for—

HB 1261, pages 1350, 1540, 1871, 2484, 2504, 2754

Jefferson, board of health, funds provided, for operation of—

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Jefferson, board of registrars, chairman of, longevity pay, provided—

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Jefferson, center point fire district, municipalities attempting to annex, required to annex entire district—
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Jefferson, constitutional amendment relating to, provided—
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Jefferson, coroner, office of, abolished—
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Jefferson, explosives, for surface mining activities, use of, regulated—
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Jefferson, fire districts, creation of, provided for—
HB 193, pages 45, 255, 328, 2559, 2619, 2755

Jefferson, fire districts, for services rendered, charges, allowed—
HB 194, pages 46, 256, 330, 2562, 2619, 2755

Jefferson, governing body of, vacancy on, method of filling, provided—
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Jefferson, palmerdale fire district, membership in, relating to—
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Jefferson, pension system, relating to—
HB 1325, pages 1892, 2030, 2204, 2514, 2539, 2754
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Jefferson, public school system, students in, transportation of, provided for—
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Jefferson, racing commission, created—
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Jefferson, retirement system, relating to—
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Jefferson, sheriff and county commission president and two associates, salaries fixed—
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Lauderdale, bingo and charity raffles, authorized—
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Lauderdale, citizens advisory commission, created—
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Lauderdale, deputy sheriff, uniform allowance, increased—
HB 1297, pages 1686, 1796, 1927, 2285, 2438, 2479

Lauderdale, home rule, provided—
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- Lauderdale, license plates, by mail, issuance of, provided for—
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- Lauderdale, plumbing, occupation of, licensure of, relating to—
HB 1362, page 1899
- Lawrence, aeronautics department, state, monies from leases, to go to—
SB 776, pages 1910, 1912, 2030, 2203, 2245
- Lawrence, prisoners, use of in maintenance and building of roads, voluntary, provided for—
HB 955, pages 703, 847, 963, 1674, 1743, 1791, 2149
- Lawrence, probate judge, expenses incurred by, payment of, by county commission, authorized—
HB 956, pages 704, 849, 964, 1674, 1744, 1791
- Lee, tax assessor and tax collector, salary, placed on—
SB 480, pages 721, 1864, 1973, 2182, 2243
- Limestone, industrial promotion, county commission to make appropriation for—
HB 850, pages 470, 515, 743, 1060, 1067, 1095
- Limestone, law enforcement, funds appropriated from county treasury for—
HB 212, pages 50, 103, 173, 488, 492, 640
- Limestone, roads and rights-of-way, county governing body, given powers in regard to—
HB 849, pages 470, 515, 742, 1060, 1067, 1095
- Limestone, tax collector, additional days for disbursement of taxes, provided—
SB 692, pages 1161, 1162, 1681, 1822, 1859
- Macon, circuit clerk, expense allowance, provided—
HB 1352, pages 1898, 1955, 2099, 2121, 2288, 2436, 2478
- Macon, district court judge, salary supplemented—
HB 1268, pages 1543, 1680, 1819
- Madison, district court judges, expense allowance, provided—
HB 760, pages 376, 1185, 1292, 2270, 2291, 2477
- Madison, fire districts, department, code and tax for, authorized—
HB 763, pages 376, 1953, 2093
- Madison, graves, opening of, county commissioners, authority to order, given—
HB 1276, pages 1545, 1953, 2093
- Madison, official county historian, to designate—
HB 1275, page 1545
- Marengo, ambulance drivers, act regulating, exempt from—
HB 707, pages 316, 411, 481, 2282, 2433, 2478
- Marengo, pistol permit fees, fixed—
HB 1271, pages 1544, 1680, 1820, 2284, 2438, 2479
- Marengo, port authorities, incorporation of, authorized—
HB 1030, pages 773, 850, 972, 1672, 1737, 1791

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- Marengo, prisoners, rehabilitation of, relating to—
HB 1272, pages 1544, 1680, 2284, 2438, 2479
- Marengo, sheriff, compensation, regulated—
HB 1317, pages 1890, 1947, 2036, 2286, 2435, 2478
- Marengo, superintendent of education, need to have masters' degree in school administration, act requiring, repealed—
HB 793, pages 381, 696, 806, 1673, 1742, 1791
- Marshall, prisoners, voluntary road work, allowed to do—
HB 1217, pages 1190, 1343, 1551, 2274, 2320, 2478, 2601
- Marshall, sheriffs office, employees regulated, prisoner fed allowance, provided—
SB 838, pages 1911, 1913, 1955, 2102, 2192
- Mobile, alcoholic beverage control board, five year phase out period for, provided—
HB 1032, page 774
- Mobile, barbers' licensing commission, act creating, repealed—
HB 67, page 18
- Mobile, board of registrars, compensation, increased—
HB 1017, pages 771, 845, 962
- Mobile, dog racing, distribution of revenues from provided for—
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- Mobile, dwellings and structures, health laws, to comply with—
HB 1040, pages 776, 1950, 2048
- Mobile, municipalities in, demolition of structures said to be unsafe or a public nuisance, provided for—
HB 82, pages 20, 843, 951
- Mobile, penal facility, authorized to build and operate—
HB 723, pages 368, 843, 949, 2270, 2292, 2477
- Mobile, pilot program on survival skills, superintendent of education, required to establish—
HB 990, pages 710, 1866
- Mobile, probate judges office, regulated—
HB 548, pages 154, 845, 959, 2269, 2293, 2477
- Mobile, public law library, funding of, provided for—
HB 283, pages 62, 844, 956
- Mobile, real property in, ad valorem tax, levied on—
HB 1359, pages 1899, 1951, 2053, 2288, 2436, 2479
HB 1360, pages 1899, 1951, 2054, 2288, 2437, 2479
- Mobile, Tillman's corner or Theodore annexation of, election to be held before—
HB 463, pages 141, 844, 957
- Monroe, commission, expense allowance, provided—
HB 1046, pages 777, 1953, 2095, 2120, 2520, 2595
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- Montgomery, motor vehicle transfer, probate judge, additional fees for, to charge—
HB 1046, pages 777, 1953, 2095, 2120, 2520, 2595

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- Montgomery, retirement system, former member, allowed to repay funds to—
HB 1048, pages 777, 931, 1045, 2276, 2317, 2478
- Montgomery, warrant magistrate, office of, established—
HB 1185, page 1108
- Morgan, absentee voting, provided for—
HB 1331, pages 1894, 1954, 2097, 2537, 2568, 2754
- Morgan, barbers and barber colleges, licensing and regulation of, act repealed—
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- Morgan, board of registrars, compensation, regulated—
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- Morgan, board of registrars, operating of, provided for—
* HB 1330, pages 1893, 1958, 2097, 2521, 2532, 2568, 2754
- Morgan, constable, office of, abolished—
SB 651, pages 1655, 1657, 1864, 1975, 2116
- Morgan, electors, records and lists of, transferred to board of registrars—
HB 743, pages 373, 411, 482, 1059, 1065, 1095
- Morgan, jury commission, salary limits, set—
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- Morgan, poll workers and officials, additional compensation, provided—
SB 814, pages 2255, 2258, 2296, 2606, 2639
- Morgan, volunteer rural fire departments, contributions and liability insurance, allowed to make and provide for—
HB 742, pages 373, 411, 481, 1058, 1065, 1095
- Municipalities, and, making joint appropriations for welfare programs, based on pro rata basis according to population—
HB 24, pages 11, 200
- Perry, circuit court bailiffs, compensation of, provided for—
HB 1335, pages 1894, 1948, 2039, 2287, 2435, 2478
- Perry, circuit court clerk, clerk hire allowance, increased—
HB 1337, pages 1895, 1948, 2040, 2287, 2436, 2478
- Perry, deer hunting, illegal nighttime, equipment used in, contraband, declared—
HB 578, pages 159, 201, 277, 389
- Perry, pistol permit fee, fixed—
HB 1338, pages 1895, 1948, 2040, 2287, 2436, 2478
- Perry, tax assessor and tax collector, clerk hire allowance, increased—
HB 1336, pages 1894, 1948, 2039, 2287, 2435, 2478
- Pickens, branch banks, authorized—
HB 1142, pages 1014, 1184, 1367, 2283, 2434, 2478
- Pickens, county offices, consolidated—
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COUNTIES (Continued)

- Pickens, elections, certain, held in, validated—
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- Pickens, park and recreation authority, created—
HB 1372, pages 1961, 2029, 2198, 2538, 2569, 2754
- Pickens, tax assessor and tax collector, clerk hire allowance, provided—
SB 837, pages 1911, 1912, 1955, 2102, 2196, 2211, 2243
- Pickens, tax assessor and tax collector, offices of, consolidated—
SB 642, pages 1167, 1168, 1262, 1373, 1669
- Pickens, taxes, relating to, county revenue commissioner, office of, established—
SB 738, pages 1913, 1915, 1955, 2100, 2196, 2211, 2245
- Pike, pistol permit fee, increased—
HB 10, pages 9, 103, 172, 487, 491, 640
- Pike, voter reidentification, provided for—
HB 855, pages 471, 516, 746, 1673, 1743, 1791
- Privilege, sales and use taxes levied for, certain, subject to Act 100, 1959 second special session—
HB 660, pages 263, 305
- Probate court in each, provided for—
HB 102, pages 23, 196
- Revenue bonds, authorized to issue—
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- Russell, barbers and barber apprentices, licensing of, exempt from—
SB 717, pages 1654, 1656, 1864, 1965, 2116
- Shelby, alcoholic beverages, malt or brewed, tax levied on—
HB 1326, pages 1892, 1956, 2103, 2516, 2540, 2754
- Shelby, board of education, election and tenure of, provided for—
HB 690, page 313
- Shelby, branch banks, authorized—
HB 1264, pages 1351, 1538, 1713, 1719, 2532, 2542, 2618, 2754
- Shelby, county officers, expense allowances for, provided for—
HB 1182, pages 1108, 1346, 1557, 2273, 2320, 2478
- Shelby, explosives, use of in open pit mining, governing body, to regulate—
HB 1038, pages 775, 1185, 1292
- Shelby, jurors, mileage, paid for—
HB 691, pages 314, 696, 805, 1363
- Shelby, law enforcement offices, county and municipal, employees of, personnel board, provided—
HB 1328, pages 1893, 1956, 2103, 2516, 2540, 2754

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- Shelby, sheriffs department employees, provided for—
HB 1327, pages 1893, 1959, 2113
- St. Clair, fox hunting, electronic amplifying devices, use of, in, prohibited—
SB 698, pages 1656, 1657, 1947, 2307
- St. Clair, traps, use of, prohibited—
SB 708, pages 1656, 1657, 1947, 2307
- St. Clair, voter registration, provided for—
HB 1234, pages 1268, 1538, 1711, 2399, 2471, 2479
- Sumter, ambulance drivers, act regulating, exempt from—
HB 707, pages 316, 411, 481, 2282, 2433, 2478
- Sumter, judges, circuit and district, county supplements, eliminated—
HB 984, pages 708, 1795, 1929
- Sumter, probate judge, tax assessor and tax collector, salary, placed on—
HB 534, page 152, 411, 480
- Talladega, judicial circuit, in, bailiffs, compensation, increased—
HB 945, pages 702, 836, 1050, 1676, 1783, 1791
- Talladega, litter laws, provided—
HB 1320, pages 1891, 1954, 2096, 2288, 2436, 2479
- Taxes, excise or license, levy of, by, restrictions against, eliminated—
HB 113, pages 26, 92, 925, 998, 1054
- Tuscaloosa, coal severance tax, levied—
HB 632, pages 258, 311, 389
- Tuscaloosa, district court magistrate, issuing search and arrest warrants, attorney, need not be—
HB 1288, pages 1684, 1796, 1979, 2284, 2434, 2478
- Tuscaloosa, home rule, provided—
HB 231, pages 53, 1794, 1967, 1985, 2035
- Tuscaloosa, municipalities in, home rule, provided—
HB 230, pages 53, 1794, 1967, 1985, 2035
- Tuscaloosa, park and recreation authority, cooperating governmental units, allowed to withdraw from—
HB 574, page 158
- Tuscaloosa, park and recreation authority, created—
HB 1058, pages 779, 850, 966, 1202, 1672, 1736, 1791
- Tuscaloosa, real property, valued for ad valorem taxes, additional times for, provided for—
HB 47, pages 15, 366, 439, 1057, 1064, 1095
- Tuscaloosa, sheriffs department employees, retirement benefits, provided for—
HB 1166, pages 1018, 1265, 1383, 1853, 1880, 1940
- Walker, judge of the intermediate court, expense allowance, repealed—
SB 816, pages 2256, 2258, 2296, 2607, 2639
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Walker, voter lists, purged—

HB 1079, pages 864, 2185, 2308

Washington, board of registrars, provided for—

HB 1133, pages 942, 2028, 2196, 2209, 2517, 2538, 2754

Washington, lime severance tax, levied—

HB 1371, pages 1960, 2029, 2210

“Wet”, alcoholic beverages, advertising of, by billboard, permitted—

HB 868, pages 474, 837

Winston, district judge, salary supplemented—

HB 539, pages 152, 769, 875, 1210, 1256, 1790

Winston, district judge, secretary, to employ—

HB 540, pages 153, 769, 879, 1210, 1256, 1790

COUNTIES 10,660 OR LESS POPULATION

Probate judge, clerk hire allowance, provided—

HB 1322, pages 1892, 1948, 2038, 2287, 2435, 2478

Table wine, sale of, to conform with state law—

HB 713, pages 317, 1265, 1382, 2270, 2291, 2477

Tax assessor, clerk hire allowance, provided—

HB 1323, pages 1892, 1948, 2038, 2287, 2435, 2478

COUNTIES 10,660 TO 10,900 POPULATION

Access roads, maintenance of, provided for—

HB 946, pages 702, 769, 876, 1212, 1258, 1790

County commission, meeting, date of, provided for—

HB 845, pages 469, 697, 808, 947, 1673, 1743, 1791, 2129

Probate judge and chief clerk, certain expenses for, payment of, provided for—

HB 1121, pages 940, 1007, 1116, 1671, 1734, 1790

Raccoons and opossums, night hunting of, providing for—

HB 729, pages 369, 466, 738, 1059, 1067, 1095

Textbooks and instructional materials, used in public schools, selection of, provided for—

HB 944, pages 701, 769, 875, 1212, 1257, 1790

COUNTIES 10,900 TO 11,500 POPULATION

Board of education, compensation and expenses, provided for—

HB 1301, pages 1686, 1863, 1984, 2282, 2432, 2478

Board of equalization, compensation regulated—

HB 1370, pages 1960, 2029, 2207, 2537, 2568, 2754

Coroner, expense allowance, provided—

HB 52, pages 16, 103, 169, 402, 403, 462

Little league athletic programs, appropriation from county, for, provided—

HB 137, pages 32, 103, 170, 488, 492, 640

Probate judges office, clerk hire allowance, provided—

HB 51, pages 16, 103, 169, 402, 403, 462

COUNTIES 12,000 TO 12,800 POPULATION

Board of equalization, expense allowances, regulated—
HB 1369, pages 1960, 2029, 2207, 2537, 2568, 2754

COUNTIES 12,700 TO 13,100 POPULATION

Elected officials, social security or F.I.C.A. payments, county to pay,
on—
SB 785, pages 1919, 1920, 2185, 2303, 2431

Probate judge, clerk of, salary, provided for—
HB 1285, pages 1546, 1863, 1970, 2285, 2438, 2479

COUNTIES 13,000 TO 13,250 POPULATION

Sheriffs Fund, use of, provided for—
SB 549, pages 826, 1007, 1118, 1198

COUNTIES 13,200 TO 13,400 POPULATION

Board of education, in, compensation and expenses of, regulated—
HB 968, pages 706, 928, 1023, 2283, 2433, 2478

Superintendent of education, compensation of, fixed—
HB 969, pages 706, 929, 1024, 2283, 2434, 2478

COUNTIES 14,000 TO 15,000 POPULATION

Board of education, members of, expense allowances, provided—
HB 1139, pages 1014, 1184, 1286, 2273, 2319, 2478

County officials, certain, expense allowances, provided—
HB 1096, pages 867, 929, 1026, 1672, 1735, 1791

Election officials, compensation of, regulated—
HB 1011, pages 713, 929, 1024, 1675, 1744, 1791

Pistol permits, fee fixed—
HB 1140, pages 1014, 1184, 1286, 2273, 2319, 2478

Tax assessor, clerk hire allowance, increased—
HB 1010, pages 713, 929, 1024

COUNTIES 15,400 TO 15,625 POPULATION

Board of registrars, board of equalization and jury commission, pay
and mileage allowance, increased—
HB 1355, pages 1898, 1948, 2043, 2408, 2477, 2753

COUNTIES 16,000 TO 16,250 POPULATION

Probate judge, expense allowance, provided—
HB 1270, pages 1544, 2028, 2209, 2517, 2539, 2754

Roads and right-of-way leading to private dwellings, maintenance
of, relating to—
HB 1269, pages 1543, 2028, 2208, 2517, 2538, 2754

COUNTIES 16,245 TO 16,300 POPULATION

Board of education, expense allowances, regulated—
HB 1202, pages 1187, 1262, 1372, 2276, 2437, 2479

Election officials, compensation of, regulated—
HB 1012, pages 713, 929, 1025, 1675, 1744, 1791

COUNTIES 16,245 TO 16,300 POPULATION (Continued)

Industrial development authority, created—

HB 958, pages 704, 928, 1022, 1674, 1744, 1791

Law enforcement officers, civil service system, provided—

SB 853, pages 2252, 2253

COUNTIES 16,275 TO 16,575 POPULATION

County governing body, meeting dates set—

SB 665, pages 1655, 1657, 1864, 1978, 2116

Probate judges, clerk hire allowance, provided—

SB 664, pages 1655, 1657, 1864, 1978, 2116

COUNTIES 16,350 TO 16,650 POPULATION

Probate judge, clerk hire allowance, provisions for, repealed—

HB 290, pages 63, 103, 173

COUNTIES 16,600 TO 16,950 POPULATION

Circuit court register, expense allowance changed to salary supplement—

HB 761, pages 376, 696, 805, 1194, 2200, 2291, 2477

Deputy coroner, office of, created—

HB 1126, pages 941, 1345, 1551, 2277, 2318, 2478

Probate judge, reasonable expense of, county governing body, to pay—

HB 1081, pages 864, 1345, 1550, 2276, 2318, 2478

Roads, serving as mail or school bus routes, state highway department, to maintain—

HB 685, pages 313, 411, 480, 735, 804

Sheriff, expense allowance, provided—

HB 403, pages 107, 411, 480, 735, 803, 1671, 1735, 1790

HB 938, pages 700, 770, 878, 1211, 1257, 1790

COUNTIES 17,000 TO 20,000 POPULATION

Deputy coroner, position of, established—

SB 244, pages 433, 434, 465, 735, 792

COUNTIES 18,500 TO 20,500 POPULATION

Tax assessor and tax collector, clerk hire allowances, provided—

SB 645, pages 1167, 1168, 1262, 1374, 1670, 2578

COUNTIES 20,500 TO 21,500 POPULATION

Volunteer rescue squads, governing bodies, allowed to contribute to—

HB 1321, pages 1891, 1948, 2037, 2286, 2435, 2478

COUNTIES 21,000 TO 22,000 POPULATION

Board of and superintendent of education, in, election of, provided for—

HB 878, pages 475, 516, 745, 2517, 2538, 2754

Circuit clerks office, additional assistants for, county commission allowed to employ—

HB 877, pages 475, 516, 744, 1211, 1257, 1790

COUNTIES 21,000 TO 22,000 POPULATION (Continued)

County commission, personnel to maintain current evaluation of property, authorized to hire—

HB 671, pages 264, 312, 393, 444, 1058, 1065, 1095

Courts of county commissioners and boards of revenue, semi-annual financial statements, mandatory publication of, abolished—

HB 880, pages 475, 516, 746

District court judge, secretary for, county commission, to employ—

HB 876, pages 475, 515, 744, 1211, 1257, 1790

Personnel to maintain current evaluation of property, to hire—

HB 1375, pages 1961, 2028, 2212, 2536, 2569, 2754

Rescue squads, local, funds allocated to—

HB 1164, pages 1017, 1185, 1293, 1853, 1879, 1940

Superintendent of education, salary and expense allowance of, provided for—

HB 879, pages 475, 516, 745, 1211, 1257, 1790

COUNTIES 22,000 TO 22,500 POPULATION

Notaries public, costs of making certain employees to pay—

HB 1298, pages 1686, 1863, 1971, 2285, 2438, 2479

Pistol permit fees, relating to—

HB 1299, pages 1686, 1863, 1971, 2285, 2439, 2479

Probate judges office, expenses of, paid by—

HB 1349, pages 1897, 2028, 2197, 2537, 2568, 2754

COUNTIES 22,575 TO 23,800 POPULATION

County commission, expense allowances and salaries, provided for—

HB 858, pages 472, 515, 742, 1674, 1743, 1791

Law enforcement officers, civil service system, provided—

SB 854, pages 2248, 2250

COUNTIES 23,800 TO 23,925 POPULATION

Table wine, sale of, to conform with state law—

HB 838, pages 423, 697, 807, 1673, 1743, 1791

COUNTIES 23,900 TO 24,450 POPULATION

Board of education, expense allowances, provided—

SB 367, pages 1913, 1915, 1955, 2099, 2190

Roads and drives, serving cemeteries, churches, bus or mail routes, state highway department to maintain—

SB 763, pages 1914, 1915

School board members, prohibition against being employed by school board, exempt from—

SB 365, pages 1913, 1915

Sheriff, cooks for county jail, authorized to employ—

SB 767, pages 2251, 2253, 2296, 2605, 2638

COUNTIES 24,000 TO 24,800 POPULATION

Board of registrars, additional compensation, provided—

HB 652, pages 262, 365, 438, 1058, 1065, 1095

COUNTIES 24,900 TO 25,150 POPULATION

County commissioner, supernumerary, office of, relating to—
HB 973, pages 707, 769, 877, 1700

Sheriff, supernumerary, office of, relating to—
HB 972, pages 706, 769, 876, 1699, 1701

COUNTIES 25,150 TO 26,500 POPULATION

State employees retirement system, reopened to certain county of-
ficials—
HB 1283, page 1546

COUNTIES 26,725 TO 27,250 POPULATION

Tax assessor and collector, clerical assistants of, cost of living in-
crease, to receive—
HB 300, pages 65, 139, 221, 1059, 1066, 1095

COUNTIES 27,000 TO 27,900 POPULATION

Board of registrars, additional days, to work—
HB 1186, page 1109

Civil defense coordinator, expense allowance, act providing for, re-
pealed—
HB 1080, pages 864, 929, 1025, 1672, 1735, 1791

Tennessee valley publicity and improvement association, created—
HB 1305, pages 1803, 1863, 1972, 2282, 2433, 2478

Volunteer fire departments, sales and use taxes, exempt—
HB 764, pages 377, 467, 741, 747, 1210, 1256, 1790

COUNTIES 27,900 TO 33,500 POPULATION

County road employees, salary increase, provided—
HB 1104, pages 869, 929, 1026

District attorney, assistant, expense allowance, increased—
SB 779, pages 1910, 1912

Hunters, within 100 feet of highway, gun, to keep unloaded—
SB 796, page 1920

Leeds, city of, part of which is in, taxes and police jurisdiction of,
relating to—
HB 1292, pages 1685, 1796, 1926

COUNTIES 33,500 TO 34,000 POPULATION

Claims against, county governing body given authority to appro-
priate money for—
HB 1277, pages 1545, 1796, 1925, 2285, 2438, 2479

COUNTIES 34,000 TO 34,800 POPULATION

County engineer, appointment of, provided for—
HB 1021, pages 772, 849, 966, 1852, 1879, 1940

Governing body, expense allowance, additional provided—
HB 6, page 8
HB 252, pages 56, 103, 171, 402, 403, 462

COUNTIES 34,875 TO 36,000 POPULATION

County road and bridge funds, transferred to county general fund—
HB 1003, pages 712, 929, 1049, 1676, 1784, 1791

COUNTIES 35,000 TO 38,000 POPULATION

- County officers, salaries increased—
HB 1065, pages 861, 932, 1048, 1677, 1783, 1791
- Sheriff, expense allowance, provided—
HB 959, pages 704, 932, 1047, 1675, 1744, 1791
SB 677, pages 1656, 1657

COUNTIES 36,500 TO 39,200 POPULATION

- Judges of county inferior courts changed to magistrates—
HB 912, pages 528, 697, 809, 874, 1211, 1257, 1790
- Jury commission, clerk and members of, work schedule and compensation of, provided for—
HB 1280, pages 1546, 1956, 2102, 2516, 2540, 2754
- Tax assessment, year round basis, on, allowed—
HB 1141, pages 1014, 1185, 1293, 1369, 2273, 2319, 2478

COUNTIES 38,100 TO 40,500 POPULATION

- Board of education, expense allowance, provided—
HB 593, pages 206, 254, 327, 436, 1698, 1784, 1791
- Hospital boards, expenditure of funds by, relating to—
HB 942, pages 701, 928, 1022, 1674, 1743, 1791

COUNTIES 41,750 TO 45,000 POPULATION

- Board of equalization, board of registrars and jury commission, salaries, regulated—
SB 555, pages 1163, 1347, 1559, 1799
- Board of jury supervisors, created—
SB 581, pages 1654, 1656
- Board of water and sewer commissioners, membership and organization of, municipalities allowed to alter—
HB 623, pages 211, 465, 737, 1702

COUNTIES 42,000 TO 49,500 POPULATION

- Airport zoning regulation, authorized to enforce—
HB 1190, pages 1109, 1186, 1295, 1853, 1879, 1940
- Referendums, advisory, holding of, provided for—
HB 1110, page 938

COUNTIES 50,000 TO 52,000 POPULATION

- Foxes, killing of, except in certain instances, prohibited—
HB 556, pages 155, 257, 333, 1056, 1064, 1075

COUNTIES 50,000 TO 52,500 POPULATION

- Officers of, certain, expense allowances, additional provided—
HB 1344, pages 1896, 1948, 2041, 2287, 2436, 2478
- Roads and drives in, state highway department, to maintain—
HB 356, page 75
- Roads and drives, mail, buses, cemeteries or churches, serving, maintenance of, by state highway department, provided for—
HB 770, pages 378, 696, 805
- Traps, steel leg hold, sale of, prohibited—
HB 555, pages 155, 257, 333, 389, 437, 735, 952, 1671, 1735, 1790

COUNTIES 52,500 TO 54,000 POPULATION

Raccoons and opossums, night hunting of, provided—
HB 785, pages 380, 698, 819, 1673, 1742, 1791

COUNTIES 55,000 TO 56,500 POPULATION

Circuit clerk, expense allowance, repealed—
SB 822, pages 2256, 2258, 2297, 2610, 2639

COUNTIES 55,500 TO 56,500 POPULATION

County officials, certain, supplements abolished and salaries set—
SB 759, pages 2254, 2257, 2295, 2604, 2638

County treasury, expense allowance, provided—
SB 876, pages 2249, 2250, 2297, 2612, 2640

Court costs in criminal cases, provided for—
SB 761, pages 2254, 2257, 2296, 2604, 2638

Governing body of, expense allowances, increased—
SB 823, pages 2252, 2253, 2297, 2610, 2700, 2748

Jury commission, employees of, salary, authorized to set—
HB 1127, pages 941, 1862, 1968, 2283, 2434, 2478

Probate judge, expense allowance, provided—
SB 877, pages 2252, 2253, 2297, 2612, 2640

Tax assessor, expense allowance, repealed—
SB 815, pages 2255, 2258, 2296, 2607, 2639

Tax collector, expense allowance, repealed—
SB 817, pages 2256, 2258, 2296, 2608, 2639

Treasurer, expense allowance, repealed—
SB 818, pages 2256, 2258, 2296, 2608, 2639

COUNTIES 56,500 TO 59,000 POPULATION

Ad valorem taxes, assessment and collection of, on certain real properties, regulated—
HB 657, pages 262, 312, 393, 2270, 2291, 2477

Board and superintendent of education, election of, provided—
HB 991, pages 710, 929, 1049, 1853, 1879, 1940

Board of education, in, office purposes, authorized to spend public funds for—
HB 1124, pages 941, 1007, 1117, 1852, 1879, 1940

Class I property, assessment rate of taxation on, increased—
HB 927, pages 530, 809

Coroner, expense allowance, increased—
HB 1183, pages 1108, 1186, 1294, 2274, 2320, 2478

County commission, expense allowance, provided—
HB 916, pages 528, 697, 809, 819, 920, 1120, 2283, 2433, 2478

Real estate in, to be assessed for ad valorem tax purposes according to actual use—
HB 783, pages 380, 696, 806, 2268, 2293, 2477

COUNTIES 57,000 TO 61,000 POPULATION

Beaches or sand dunes, motor vehicle, operation of, on, regulated—
HB 1374, pages 1961, 2029, 2198, 2536, 2569, 2754

Death certificates, official, county health officers, authorized to issue—
HB 412, pages 108, 205, 278, 1059, 1066, 1095

Probate judge, tax assessor, tax collector, county commissioners and sheriff, expense allowance, additional, provided—
HB 666, pages 264, 311, 392, 1059, 1066, 1095

Probate office, microfilm record system, authorized—
HB 1381, pages 1962, 2029, 2199, 2554, 2580, 2635, 2755

Real estate, ad valorem taxes, assessment of, for, provided for—
HB 1105, pages 869, 929, 1031, 1672, 1735, 1790

Volunteer fire departments, sales and use taxes, exempt—
HB 668, pages 264, 312, 393, 2517, 2538, 2754

Water wells, regulation of, provided for—
HB 1059, pages 779, 850, 970, 1672, 1737, 1791

COUNTIES 60,000 TO 65,000 POPULATION

Board of education, compensation, regulated—
HB 779, pages 379, 696, 806, 1676, 1782, 1791

Board of education, election of, provided for—
HB 1222, pages 1192, 1541, 1715

Cosmetology, practice of, regulated—
HB 823, page 420

County historian, office of, created—
SB 238, pages 720, 721, 932, 1049, 1132

Referendums, advisory, holding of, provided for—
HB 1111, pages 938, 1681, 1822, 2277, 2318, 2478

Trailers, registration and identification of, regulated—
HB 1035, pages 774, 850, 971, 2405, 2570, 2479

COUNTIES 65,000 TO 68,000 POPULATION

County commission, expense allowances, provided—
SB 833, pages 2252, 2253, 2299, 2614, 2640

District attorney, administrative assistant and secretaries to, salaries set—
HB 1145, pages 1015, 1102, 1196, 1853, 1879, 1940

Judicial circuit, in, secretarial assistants to district attorney and circuit judge, compensation increased—
HB 943, pages 701, 1003, 1277, 2483, 2504, 2754

Pistol permit fees, sheriffs law enforcement fund, deposited in—
SB 756, pages 2251, 2253, 2299, 2614, 2638

Raccoons and opossums, night hunting of, providing for—
HB 728, pages 369, 1795, 1927, 2283, 2433, 2478

COUNTIES 65,000 TO 75,200 POPULATION

Clerk of the jury commission, salary, set—
HB 1084, pages 865, 1007, 1116, 2276, 2318, 2478

Highway 14, designated as a state highway—
SB 727, pages 1656, 1657

COUNTIES 65,500 TO 75,200 POPULATION

Deer hunting with dogs, made legal—
HB 1363, pages 1900, 1949, 2044, 2195, 2219

Sheriffs department, civil service board for, relating to—
HB 960, pages 704, 928, 1023
SB 615, pages 1163, 1164, 1538, 1713, 1800, 2415, 2624

Tree houses, zoning ordinances, exempt from—
SB 870, pages 2248

COUNTIES 75,000 TO 90,000 POPULATION

Board of equalization and adjustment, provided for—
HB 894, pages 525, 699, 821, 2271, 2291, 2477

Officials, contingent fund for traveling expenses of, provided—
HB 744, pages 374, 412, 482, 1156, 1199, 1253

COUNTIES 90,000 TO 100,000 POPULATION

Administrative consultant to the circuit clerk, salary increased—
HB 830, pages 421, 696, 807, 2397, 2471, 2479

Boards of education in, powers of, relating to—
HB 730, page 369
SB 540, pages 1162, 1163, 2185, 2308, 2421, 2462, 2492

Circuit judges, secretary, provided—
HB 1340, pages 1895, 1954, 2097, 2287, 2436, 2478

District attorneys office, equipment and supplies, county governing body, authorized to supply—
HB 1069, pages 862, 1183, 1281, 2276, 2318, 2478

Elected offices, vacancies in, filling of, provided for—
SB 889, pages 2448, 2250
SB 890, pages 2249, 2250

Municipalities in, alcoholic beverages, malt or brewed, taxes on, not allowed to levy—
HB 1109, pages 938, 1346, 1556, 2277, 2318, 2478

Pistol permit fees, fixed—
SB 872, page 2248

COUNTIES 95,000 TO 115,000 POPULATION

Coroner, expense allowance, provided—
SB 843, pages 1912, 1913, 2186, 2310, 2432

Deputy sheriffs, clerks, jailers and cooks, appointment of, provided for—
HB 1235, pages 943, 1862, 1969, 2009, 2273, 2319, 2478
SB 802, pages 1920, 1949, 2046, 2191

COUNTIES 95,000 TO 115,000 POPULATION (Continued)

License commissioner, office of, reimbursed for monetary loss due to mistakes—

HB 930, pages 531, 699, 821, 1211, 1257, 1790

License commissioners salary, set—

SB 841, pages 1912, 1913, 2186, 2309, 2534, 2624

Pistol permit fees, distributed—

SB 842, pages 1912, 1913, 1950, 2048, 2192

Roads on privately-owned property, maintenance of, county commission given certain powers regarding—

HB 373, pages 78, 1794, 1928, 1967

Sunday closing laws, regulated further—

HB 372, pages 78, 104, 173, 402, 404, 462

COUNTIES 110,000 TO 150,000 POPULATION

County officers, certain, salaries and expense allowances, provided for—

HB 645, pages 260, 466, 740, 1696, 1784, 1791

COUNTIES 115,000 TO 150, 000 POPULATION

Alcoholic beverages, sale of, outside corporate limits, allowed—

HB 983, page 708

Board of registrars, compensation, provided for—

HB 1300, pages 1686, 1796, 1968, 1979, 2286, 2439, 2479

Draft or keg beer, sale of, permitted—

HB 651, pages 261, 367, 441, 1155, 1199, 1253

Not guilty plea, in criminal cases, arraignment, provided for—

SB 330, pages 2250, 2253,

SB 331, pages 2251, 2253

Real property, valued for ad valorem taxes, additional times, provided for—

HB 47, pages 15, 366, 439, 1057, 1064, 1095

SB 334, pages 1910, 1912, 1956, 2111, 2534, 2624

Table wine, sale of, to conform with state law—

HB 712, pages 317, 1862, 1968, 1984, 2283, 2433, 2478

Voter registration and board of registrars, provided for—

HB 1289, pages 1684, 1842, 1866, 1979, 2268, 2293, 2477

COUNTIES 125,000 TO 175,000 POPULATION

Sheriff, expense allowance, provided—

SB 547, pages 1655, 1657

COUNTIES 150,000 TO 180,000 POPULATION

Circuit court, family relations division, costs of operations of, relating to—

HB 649, page 261

County governing body, districts redivided—

HB 590, pages 161, 931, 1039, 2269, 2294, 2477

District judges, salaries supplemented—

SB 548, pages 1913, 1915, 1953, 2216, 2247, 2431

COUNTIES 150,000 TO 180,000 POPULATION (Continued)

Homemade or homebaked goods, certain, not subject to health department regulations—
SB 94, pages 433, 434, 516, 746, 792

Probate judge and employees, personal liability from errors, provided exemption from—
HB 839, page 423

Probate judges, compensation fixed—
HB 605, pages 208, 931, 1120, 1854, 1880, 1940

Sheriff, total compensation, fixed—
HB 860, pages 472, 931, 1045, 1676, 1782, 1791

COUNTIES 150,000 TO 300,000 POPULATION

Pistol permit fee, increased—
HB 859, pages 472, 932

COUNTIES 300,000 TO 500,000 POPULATION

Alcoholic beverages, closing times on Sunday morning, fixed—
HB 536, pages 152, 844, 957

Bail bonds, other means for securing release, provided for—
HB 550, page 154

District court bailiffs, salary, provided—
HB 1249, pages 1271, 1952, 2060

Personnel board, pay plan, to adopt—
SB 886, page 2253

Voter reidentification, act providing for, repealed—
HB 869, page 474

Voter reidentification, provided for—
HB 1088, page 866

COUNTIES 300,000 TO 600,000 POPULATION

Airport authorities in, relating to—
HB 1357, pages 1898, 1952, 2056, 2537, 2568, 2754

Board of school commissioners, expense allowance, provided—
HB 395, pages 106, 844, 957

Communities on islands in, unincorporated, incorporation of, relating to—
SB 304, pages 1162, 1163, 1952, 2195, 2243

Coroner, provided for—
SB 612, pages 1166, 1167, 1952, 2195, 2243

County commission expense allowances, payment of, by county, provided for—
HB 1136, pages 1013, 1951, 2052, 2544, 2618, 2754

County racing commission, compensation changed—
HB 835, pages 422, 845, 961, 2270, 2291, 2477

Director/coordinator of the county civil defense authority, placed under the personnel board—
HB 1316, pages 1890, 1951, 2055, 2286, 2439, 2479

COUNTIES 300,000 TO 600,000 POPULATION (Continued)

- Dog racing, distribution of revenues from, provided for—
HB 81, pages 20, 843, 950
- John L. Leflore High School, named—
HB 834, pages 422, 450, 845, 961, 2517, 2538, 2754
- Law enforcement officers, procedural and substantive rights of,
provided for—
HB 979, page 708
SB 613, pages 2251, 2253, 2299
- Municipalities in, demolition of structures said to be unsafe or a
public nuisance, provided for—
HB 82, pages 20, 843, 951
- Municipalities in, elected officials in, retirement benefits for, pro-
vided for—
HB 1097, pages 867, 1959, 2113
- Search warrants, relative to narcotics and controlled substances,
issuance of, regulated further—
HB 215, pages 51, 844, 956, 1112, 1195
- Telephone companies, regulated—
HB 586, pages 144, 365, 1259, 1566, 2322, 2469, 2479
- Voter reidentification, regulated further—
HB 1150, pages 1015, 1952, 2060
- Voters, registration and reidentification of, board of registrars, to
visit each house district for the purpose of—
HB 62, page 17
- Voting machines, use of, provided further for—
SB 296, pages 2250, 2253
- Wreckers, rotation system for, provided—
HB 1073, pages 863, 1265, 1384, 1853, 1879, 1940, 2147, 2574, 2633,
2755

COUNTIES 400,000 OR MORE POPULATION

- Beer, taxes on, portion of, distributed to county board of education—
HB 603, pages 208, 930, 1037, 1113, 1273, 1276, 1364
- Civil service system in, established, relating to—
HB 444, pages 114, 842, 947, 952, 2486, 2506, 2754
HB 953, pages 703, 1864, 1976, 2523, 2541, 2754
HB 1245, page 1270
- Civil service system in, procedure for appeal, changed—
HB 670, pages 264, 1264, 1382, 1556
- Civil service system in, to include handicapped persons—
HB 14, pages 10, 930, 1031, 2485, 2506, 2754
- Merit system employees, salary increases, plan for providing, pro-
vided—
HB 499, pages 146, 842, 948, 953, 2486, 2506, 2754
- Merit system employees, sick leave and vacation time of, rate of
earning, provided for—
HB 1313, page 1804

COUNTIES 500,000 OR MORE POPULATION

Board of trustees, hospital, clinic or nursing home, of, liability for debts or torts of, exempt from—

HB 1259, pages 1350, 1540, 1816, 2483, 2504, 2754

SB 863, pages 2250, 2297, 2613, 2640

Civic center area, alcoholic beverages, selling of, in, authorized—

SB 836, pages 2253, 2257, 2298, 2613, 2702

County boards of education, qualifications and election of, regulated—

HB 616, pages 210, 930, 1038, 1114, 1365

License tags, tabs, disks or other devices, fee to cover mailing of, provided for—

HB 923, pages 530, 843, 948, 951, 2269, 2293, 2477

Municipalities subject to civil service or merit law, in, prohibited from requiring employees of, to be residents of—

HB 941, pages 701, 843, 948, 955, 1020

Pistol permits, fee prescribed—

HB 747, page 374

Table wine, sale of, in, to conform with state law—

HB 913, pages 528, 930, 1038, 2529, 2542, 2754

Traps, certain, use of, prohibited—

HB 480, page 143

HB 544, pages 153, 930, 1037

COUNTIES 600,000 OR LESS POPULATION

Cosmetology, practice of, regulated further—

HB 620, page 211

HB 794, pages 382, 692, 1179, 1706, 1858, 1964, 2156, 2556, 2597, 2707, 2741, 2752, 2756

County commission, planning and construction, to regulate—

HB 308, pages 66, 194, 925, 999, 1100, 1178, 1706, 1858, 1963, 1996

COUNTIES 600,000 OR MORE POPULATION

Absentee voters, permanent lists of, provided for—

SB 649, pages 1842, 1845

Cities 2,000 or more population in, tax exemption for annexed territory provided—

SB 688, pages 1842, 1845, 2185, 2303, 2432

Civil service system in, Birmingham, exempt from—

HB 1062, page 780

County governing body, surface mining operations, allowed to halt in certain instances—

HB 615, pages 210, 1264, 1382

Department of health and transit authority, authorized and provided for—

HB 500, page 146

Department of health, funding provided for—

HB 501, pages 146, 698, 715, 810, 817, 1355, 1377, 1521

Education, ad valorem taxes levied for, distributed pro rata—

HB 604, pages 208, 930, 1038, 1113, 1274, 1277, 1364

COUNTIES 600,000 OR MORE POPULATION (Continued)

- Fire districts in, when annexed, district debt to be paid—
HB 1203, page 1187
- Incorporation of unincorporated communities, regulated further—
HB 188, page 44
- Municipalities 2,000 or more population, tax exemption for annexed territory, provided—
HB 1159, pages 1017, 1263, 1374, 1951, 2554, 2619, 2755
- Obscene material, involving minors, penalties provided—
HB 1279, pages 1545, 1865, 1977
- Owner-developers, ad valorem tax exemptions, provided—
HB 1082, pages 865, 1540, 1716, 2515, 2539, 2754
- Physically incapacitated electors permanent absentee voters lists for, established—
HB 948, pages 702, 1263, 1378, 2025, 2115, 2176
- Pornography, display of, in places frequented by minors, prohibited—
HB 1014, pages 790, 1261, 1263, 1378
- Sheriff, executive assistant, to employ—
HB 505, pages 147, 1539, 1720, 1816, 2528, 2541, 2754
- Sheriff, salary, fixed—
HB 506, pages 147, 1539, 1718, 1721, 1814, 2527, 2541, 2754
- Trade shows, organized, sponsored by the chamber of commerce, allowed to operate on Sunday—
HB 7, pages 9, 254, 328, 2485, 2505, 2754
- Transit authorities, funding provided for—
HB 502, pages 146, 698, 716, 813, 1356, 1451, 1521
- Voters, registration of, prior to elections, times limited—
HB 949, pages 702, 1263, 1378, 2025, 2115, 2176
- Zoning classifications, regulated—
HB 378, pages 79, 1264, 1550
HB 1260, page 1350

COUNTY COMMISSION

- Baldwin county, expense allowance, additional, provided—
HB 666, pages 264, 311, 392, 1059, 1066, 1095
- Chambers county, rearrangement of districts, provided for—
HB 437, pages 112, 364, 437, 1058, 1064, 1095
- Cleburne county, salaries, provided for—
HB 1247, pages 1271, 1347, 1559, 2284, 2437, 2479
- Coffee county, expense allowances, regulated—
HB 977, pages 707, 770, 977, 1675, 1744, 1790
- Coffee county, personnel to maintain current property values, authorized to hire—
HB 976, pages 707, 770, 879, 1675, 1744, 1791
- Colbert county, meeting dates, changed—
HB 1278, pages 1545, 1796, 1926

COUNTY COMMISSION (Continued)

Coosa county, meeting dates of, provided for—

HB 845, pages 469, 697, 808, 947, 1673, 1743, 1971, 2129

Coosa county, terms of office, fixed—

HB 1368, pages 1960, 2029, 2198, 2535, 2568, 2754

Cullman county, structure of, reorganized—

HB 637, pages 259, 364, 438, 2269, 2294, 2477

Houston county, expense allowance, provided—

HB 916, pages 528, 697, 809, 819, 820, 1120, 2283, 2433, 2478

Jefferson county, two associate members and president, salaries fixed—

HB 1266, pages 1352, 1538, 1719, 1814, 1928, 2163, 2165, 2515, 2539, 2754

Lawrence county, probate judge, expenses incurred by, payment of, by, authorized—

HB 956, pages 704, 849, 964, 1674, 1744, 1791

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HB 905, pages 527, 692

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SJR 264, pages 718, 790, 794, 885

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HB 1169, pages 1105, 1184, 1290

Election officials, compensation of, regulated—

HB 1012, pages 713, 929, 1025, 1675, 1744, 1791

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HB 958, pages 704, 928, 1022, 1674, 1744, 1791

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HB 302, pages 65, 253, 999, 1101, 1179, 1706, 1858, 1964

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HB 1180, pages 1107, 1185, 1294, 1854, 1880, 1940

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Rural, equipment, purchase of, through state forestry commission, authorized—

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HB 71, pages 19, 847, 1707, 1858, 1964

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FLANAGAN, ESLEY MULLENAX

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HB 389, pages 105, 1006, 1179, 1858, 1964

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Sales tax, distributed to counties to administer, excess amounts provided for—

HB 1284, pages 1546, 1865

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HB 798, pages 382, 512

FOREIGN CORPORATION FRANCHISE TAX

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HB 964, pages 705, 835, 925, 991, 1008

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HB 1158, pages 1017, 1183, 1706, 1858, 1963, 1988, 2418, 2471, 2479

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Registration and renewal fee for licenses, increased—

HB 311, pages 67, 102, 1690, 2598, 2634, 2755

State board of registration for, created—

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Ad valorem tax rate, decrease of, provided for—

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State, rural firefighting units, equipment, purchase of, through, authorized—

HB 474, pages 142, 195, 926, 999, 1101, 1178, 1706, 1858, 1964

FORT JAMES DOUGLAS FINLAY

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HB 995, pages 710, 1866

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Alabama historical commission, appropriation made to, for, from department of conservation—

HB 453, pages 116, 847, 1354

FOOTLER, DR. MYRON D.

Appreciation, extended—

HJR 476, pages 1353, 2321, 2472, 2479

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SB 820, pages 2256, 2258, 2297, 2609, 2639

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SB 638, pages 1166, 1167, 1864, 1975, 2035, 2194, 2300, 2603, 2700, 2748

Investigator, position of, created—

HB 1238, pages 1269, 1862, 1969, 2180, 2214, 2260

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Cullman county, killing of, except in certain instances, prohibited—

HB 556, pages 155, 257, 333, 1058, 1064, 1095

Trapping of, prohibited—

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St. Clair county, electronic amplifying devices, use of, in prohibited—

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Board of education, expense allowances, provided—

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SB 763, pages 1914, 1915

School board members, prohibition against being employed by school board, exempt from—

SB 365, pages 1913, 1915

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FRUITHURST RESCUE SQUAD

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City of, boundaries altered—

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Trapping of, license fee for, increased—

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City commission, meeting dates, to set—

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SB 888, page 2247

Mayor and city commission, expense allowance, provided—

SB 864, pages 1912, 1913, 2186, 2311, 2593

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Cast net fishing licenses, non-resident, for, provided—

HB 472, pages 142, 694

Commercial fishing gear, license number, name and address of
owner, to be attached to—

HB 360, page 76, 254

Coosa county, raccoons and opossums, night hunting of, providing
for—

HB 729, pages 369, 466, 738, 1059, 1067, 1095

Dallas county, illegal hunting of deer, vehicles and equipment used
in, contraband, declared—

HB 265, pages 58, 139, 221

Foxes and raccoons, trapping of, prohibited—

HB 148, page 35

Gill, trammell, or simular net, taking of, by prohibited—

HB 71, pages 19, 847, 1707, 1858, 1964

Illegal deer hunting, confiscation of equipment, provided for—

HB 980, pages 708, 848

Non-resident fishing licenses, fees increased, references to race
deleted—

HB 341, pages 73, 102, 832, 833, 914, 1850, 1974, 1940

HB 684, pages 267, 694, 925, 999, 1100, 1132, 2701, 2725, 2756

Non-resident fishing licenses, penalty for fishing without, relating
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HB 391, pages 105, 848

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not purchase—

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HB 621, pages 211, 254

Talladega county, raccoons and opossums, night hunting of, providing for—
HB 728, pages 369, 1795, 1927, 2283, 2433, 2478

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HJR 495, pages 1683, 1808, 1849, 1887, 1940

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Prichard, city of, certain persons, exempt from—
HB 870, pages 474, 1952, 2061

GARRETT, JOHN A.

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HB 84, pages 20, 95, 2123, 2124
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Board of and superintendent of education, in, election of, provided for—
HB 878, pages 475, 516, 745, 2517, 2538, 2754

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HB 877, pages 475, 516, 744, 1211, 1257, 1790

County commission, personnel to maintain current value of property, authorized to employ—
HB 871, pages 264, 312, 393, 444, 1058, 1065, 1095

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HB 880, pages 475, 516, 746

District court judge, secretary for, county commission, to employ—
HB 876, pages 475, 515, 744, 1211, 1257, 1790

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GIVHAN, WALTER C., PARKWAY

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HARRIS, ROBERT H.

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District judge, vacancy in, filling of, provided for—
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HJR 365, pages 784, 933, 1077, 1092, 1154

JOHNSTONES CROWN SHELL

~~Official state seal designated—~~
HB 471, pages 142, 215, 254

JOINDER OF DEFENDANTS

Provided for—
HB 365, page 77

JOINDER OF OFFENSES

Provided for—
HB 365, page 77

JOINT ADVISORY BOARD OF FAMILY PRACTICE

Created—
HB 905, pages 527, 692

JOINT ADVISORY COMMITTEE ON FRINGE BENEFITS TO PUBLIC EMPLOYEES

Created—
HJR 41, page 153

JOINT COMMITTEE TO STUDY THE RISING COST OF MEDICARE AND MEDICAID PROGRAMS

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HJR 50, page 178

JOINT CONTINUING INTERIM TAX STRUCTURE COMMITTEE

Created—
HJR 551, pages 2127, 2193, 2262, 2288
HJR 572, pages 2419, 2481

JOINT EDUCATIONAL STUDY COMMITTEE

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HJR 415, page 936

HJR 610, page 2518

HJR 611, page 2534

JOINT GOVERNMENTAL STUDY COMMITTEE

Created—

HJR 18, pages 119, 136

JOINT INTERIM COMMITTEE

Game and fish, on, created—

HJR 479, page 1363

JOINT INTERIM COMMITTEE FOR REVISED PROBATE CODE

Created—

SJR 247, pages 1653, 1856, 1994

JOINT INTERIM COMMITTEE TO INSPECT BIRMINGHAM TORNADO DAMAGE

Created—

HJR 446, pages 1104, 1171, 1201, 1254

JOINT INTERIM COMMITTEE TO STUDY SEWAGE TREATMENT FACILITIES

Created—

HJR 445, page 1103

JOINT INTERIM COMMITTEE TO STUDY TAX STRUCTURE

Report of, to be printed and payment of, provided for—

HJR 90, pages 368, 399, 404, 462

JOINT INTERIM COMMITTEE TO STUDY THE WILDFIRE EMERGENCY SITUATION

Created—

HJR 93, page 385

JOINT LEGISLATIVE COMMITTEE

State departments and agencies, to study, created—

HJR 18, pages 119, 136

JOINT RULES COMMITTEE

Created—

HJR 10, page 83

JOINT SELECT PILOT STUDY COMMITTEE ON TREATMENT FACILITIES

Created—

SJR 248, page 2016

JOINT STATE-COUNTY WORK RELEASE PROGRAM

Transfer of inmate, sheriff, first to approve—

HB 478, pages 143, 846

JONES, COACH JOE

Congratulated—
HJR 75, pages 320, 386, 400, 412, 462

JONES, DR. WALTER B.

Death of, mourned—
SJR 356, pages 2409, 2508, 2624

JONES, ROBERT W.

Commended—
HJR 434, pages 1019, 1171, 1201, 1253

JONES, TERRI

Commended—
HR 584, page 2495

JORDAN, REV. THOMAS E.

Commended—
HJR 500, pages 1707, 1849, 1887, 1941

JUDGE OF THE INTERMEDIATE COURT

Walker county, expense allowance, repealed—
SB 816, pages 2256, 2258, 2296, 2607, 2639
SB 819, pages 2256, 2258, 2296, 2608, 2639

JUDGES

Birmingham, recorders court, election of, provided for—
HB 254, pages 57, 842, 947, 1020, 1813, 2194

Depositions, expense of, may tax as costs—
HB 241, pages 55, 1005, 1963

District or circuit, retirement paid out of county treasuries, abolished—
HB 1250, pages 1271, 1945

Mandatory retirement of, provided for—
HB 786, page 380

Probate, districts, circuit, court of appeals, supreme court, judicial retirement fund, not eligible if elected or appointed after date of this act—
HB 821, pages 419, 1867, 1965, 1992

Sumter county, circuits and district, county supplements, eliminated—
HB 984, pages 708, 1795, 1929

JUDGES AND DISTRICT ATTORNEYS FUND

First Judicial Circuit, clerk of the court in, collecting solicitors or district attorneys fees, to deposit in—
HB 932, pages 699, 932, 1046, 2271, 2292, 2477

JUDGES OF COUNTY INFERIOR COURTS

Shelby county, changed to magistrates—
HB 912, pages 528, 697, 809, 874, 1211, 1257, 1790

JUDGES SALARIES

State judicial compensation commission report, amended—
HB 780, page 379
HB 781, page 379

JUDICIAL ARTICLE

Retirement, state assumption of, relating to—
HB 1218, pages 1190, 1681, 1964, 2167, 2466, 2477, 2753

JUDICIAL ARTICLE IMPLEMENTATION ACT

Relating to judges in cases of domestic or marital matters—
HB 244, pages 55, 694

JUDICIAL CIRCUITS

Counties 16,600 to 16,950 and 22,575 to 23,800 population, composed of, public defender, office of, created—
HB 1345, pages 1896, 1954, 2098, 2584, 2635, 2755

Counties 65,500 to 75,200, composed of, district court clerk, office of, created
HB 686, page 313

District attorneys, to submit unified budget—
HB 88, pages 21, 95, 925, 999, 1100, 1178, 1706, 1857, 1883, 1934, 1937

Eighteenth, juror, discharged, verdict to be rendered by remainder of jury
HB 661, page 263

Eighteenth, stenographic secretary, salary increased—
HB 662, pages 263, 696, 805

Eleventh, circuit judges, secretary, to appoint—
HB 1282, page 1546

Fifteenth, vacancies in, filling of, provided for—
HB 1118, page 940

Fifth, chief deputy district attorney, appointment of, provided for—
HB 915, pages 528, 1678, 1924, 2572, 2620, 2755

First, clerk of the court in, collecting solicitors or district attorneys fees, judges or district attorneys fund, to place in—
HB 932, pages 699, 932, 1046, 2271, 2292, 2477

First, court reporter, compensation, regulated—
HB 533, pages 152, 254, 334

First, jury separation of, by consent, provided for—
HB 933, pages 700, 932, 1046

Fourteenth, circuit judges, expense allowances, repealed—
SB 820, pages 2256, 2258, 2297, 2609, 2639
SB 821, pages 2256, 2258, 2297, 2609, 2639

Fourteenth, circuit judges, salary supplemental—
SB 638, pages 1166, 1167, 1864, 1975, 2035, 2194, 2300, 2603, 2700, 2748

Fourteenth, investigator, position of, created—
HB 1238, pages 1269, 1862, 1969, 2180, 2214, 2260

JUDICIAL CIRCUITS (Continued)

- Jurors, excused, to serve at a subsequent time—
HB 663, pages 263, 466, 740, 1673, 1742, 1791
- Nineteenth, bailiffs, compensation, fixed—
HB 998, pages 711, 849, 966, 1021, 1113, 2271, 2292, 2477
- Ninth, circuit judges secretaries, salaries, increased—
SB 515, pages 1655, 1657, 2295, 2615, 2623, 2700, 2747
- Ninth, district attorney, secretary and investigator, provided—
SB 673, pages 2254, 2257
- Ninth, register serving most populous county in, salary supplemented—
HB 1339, page 1895
SB 526, pages 2251, 2253
- Ninth, separation of jury, in felony cases, provided for—
SB 753, pages 2254, 2257
- One county with five to seven circuit judges, district court magistrates, search and arrest warrants, issuance of, by, authorized—
HB 917, page 529
- One county with 6 to 9 circuit judges, one additional legal stenographer, provided for—
HB 1380, pages 1962, 2032, 2206, 2536, 2569, 2754
- Second, circuit judge, salary, supplemented—
~~HB 292, pages 292, 1954, 1975, 2115~~
- Seventh, circuit court, family court division, established—
HB 1057, pages 779, 1002, 1197
SB 627, pages 2253, 2257, 2295, 2487, 2622, 2637
- Seventh, deputy district attorney, position of, provided for—
HB 705, pages 316, 1266, 1923
- Seventh, deputy district attorney, salary, increased—
HB 1002, pages 711, 1266, 1923, 2726
- Sixth, deputy district attorneys no. 4, 5, and 6, compensation of, provided for—
HB 919, pages 529, 1004, 1194
- Sixth, deputy district attorney no. 6, office of, created—
HB 918, pages 529, 1004, 1194, 2268, 2292, 2477
- Thirteenth, circuit judge, additional provided—
HB 295, pages 64, 1004, 1118, 1119, 2396, 2470, 2479, 2702, 2751, 2756 EX AMDT
- Thirteenth, district judge, salaries supplemented—
HB 551, pages 155, 845, 960, 2269, 2294, 2477
- Thirtieth, district attorney, salary supplemented—
SB 517, pages 1655, 1657
- Thirtieth, investigators of district attorney, Blount county, arrest powers in, provided—
HB 1333, pages 1894, 1948, 2038, 2287, 2435, 2478
SB 869, pages 2247, 2248, 2297, 2611, 2640

JUDICIAL CIRCUITS (Continued)

Thirty-eighth, clerk-secretaries, salaries, regulated—
HB 371, pages 78, 205, 277, 1058, 1064, 1095
SB 317, pages 1909, 1912

Thirty-fourth, circuit court clerk, full time clerk, authorized to appoint—
SB 568, pages 1913, 1915, 1955, 2100, 2190

Thirty-fourth, district attorney, expense allowance, provided—
SB 524, pages 720, 721, 1007, 1117, 1197

Thirty-ninth, composed of Clay and Coosa counties, created—
HB 966, pages 705, 1957

Thirty-ninth, created—
HB 704, page 316
HB 741, page 373

Thirty-third, circuit judge, additional provided—
HB 1197, page 1186

Twelfth, judges, salaries supplemented—
HB 1304, pages 1803, 1863, 1972, 2286, 2439, 2479

Twenty-eighth, jurors, excusing of, in capital cases, provided for—
SB 740, pages 1914, 1915, 1955, 2100, 2191

Twenty-fifth, circuit judges and district attorneys, expense allowances, regulated—
SB 161, pages 432, 434, 770, 878, 1000
SB 165, pages 1162, 1163, 1949, 2044, 2190

Twenty-first deputy district attorney, appointment of, provided for—
HB 1246, pages 1270, 1680, 1818, 2275, 2317, 2478

Twenty-third, assistant district attorney, provided for—
HB 721, page 318

Twenty-third, retired, salary supplements, repealed—
SB 619, pages 1167, 1953, 2092, 2154, 2165, 2185, 2304, 2597, 2624
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JUDICIAL COMPENSATION COMMISSION

Constitutional amendment repealing, proposed—
HB 908, pages 527, 692

Report of, amended—
HB 780, page 379
HB 781, page 379

JUDICIAL COMPENSATION COMMISSION FOR SALARIES AND EXPENSE ALLOWANCES FOR THE JUDICIARY

Report of, rejected—
HJR 336, pages 714, 2271, 2316, 2477

JUDICIAL DEPARTMENT

General fund budget, provided—
HB 481, pages 143, 464, 833, 1259, 1570, 1631, 1647, 2180, 2517, 2755

JUDICIAL RETIREMENT

Prior service credit to certain judicial officers, allowed—
HB 143, pages 34, 1002, 1963

JUDICIAL RETIREMENT FUND

Judges, appointed or elected after date of this act, not eligible for—
HB 821, pages 419, 1867, 1965, 1992

JUDICIARY COMMITTEES

House and Senate, joint meeting of, called for—
SJR 252, pages 431, 485

JUNIOR COLLEGES

Real estate, prohibited from owning in excess of 100 acres—
HB 1037, pages 775, 841, 999, 1101

JURIES AND JURORS

Compensation, increased—
HB 525, page 150

Dale county, one-to-one method of striking of, provided for—
HB 262, pages 58, 122, 928, 1021

Eighteenth Judicial Circuit, discharge of juror, verdict to be rendered
by remaining—
HB 661, page 263

~~Eighteenth Judicial Circuit, excused to serve at a subsequent time—~~
HB 663, pages 263, 466, 740, 1673, 1742, 1791

First Judicial Circuit, separation of, by consent, provided for—
HB 933, pages 700, 932, 1046

Jurors' fees, expense allowance rather than compensation, termed
as—
HB 424, pages 110, 196, 999, 1101, 1178, 1706, 1858, 1875, 2588,
2636, 2755

Ninth Judicial Circuit, separation of, in felony cases, provided for—
SB 753, pages 2254, 2257

Non-capital felony and misdemeanor cases, minimum number, set—
HB 1232, pages 1268

Parole, trial judge, required to charge, as to when defendant may
receive—
HB 364, pages 77, 193, 351, 352, 359

Qualifications and selection of, provided for—
HB 638, pages 259, 1004

Shelby county, mileage, paid for—
HB 691, pages 314, 696, 805, 1363

Twenty-eighth Judicial Circuit, excusing of, in capital cases, pro-
vided for—
SB 740, pages 1914, 1915, 1955, 2100, 2191

JURORS

Qualifications and selection of, provided for—
HB 638, pages 259, 1004

JURORS COMPENSATION

Increased—

HB 525, page 150

JURORS' FEES

Expense allowance rather than compensation, termed as—

HB 424, pages 110, 196, 999, 1101, 1178, 1706, 1858, 1875, 2588,
2636, 2755**JURY COMMISSION**

Bibb county, compensation of, provided for—

HB 529, pages 151, 206, 279, 289, 493, 640

Cherokee county, pay and mileage allowance, increased—

HB 1355, pages 1898, 1948, 2043, 2408, 2477, 2753

DeKalb county, salaries regulated—

SB 555, pages 1153, 1347, 1559, 1799

SB 827, pages 1911, 1912, 1955, 2101, 2192

Morgan county, salary limits, set—

SB 812, pages 2255, 2257, 2296, 2605, 2638

Shelby county, clerk and members of, work schedule and compensation of, provided for—

HB 1280, pages 1546, 1956, 2102, 2516, 2540, 2754

Walker county, employees of, salary authorized to set—

HB 1127, pages 941, 1862, 1968, 2283, 2434, 2478

KARRH, MRS. MACK

Honored—

HJR 489, pages 1546, 1807, 1848, 1887, 1940

KELLY, JR., ROBERT M.

National guard armory, named—

HB 669, pages 264, 410, 1176, 2726, 2739, 2756

KILLIAN, PAUL H.

Death of, mourned—

SJR 320, pages 1665, 1807, 1860

KILPATRICK, MELVIN CAMP

Death of, mourned—

SJR 261, pages 718, 789, 885

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County boards of education, established by, minimum age children may attend, reduced—

HB 924, page 530

Public, state department of education, to establish, appropriation provided—

HB 11, pages 9, 92, 460, 749

KINDERGARTENS

Playgrounds, and, relating to—

HB 802, pages 383, 513

KINSEY-OWEN AIRPORT

Named—

HB 1373, page 1961

KIRBY, MR. AND MRS. J. A.

Commended—

HR 350, pages 730, 790

KLEIN, DAVID

Death of, mourned—

HJR 371, pages 789, 933, 1077, 1092, 1154, 1355

KUNSTEL, MARCIA

Commended—

SJR 9, pages 2018, 2032, 2188

SJR 16, pages 283, 325, 362

LADY VOLUNTEERS

John Jones Elementary School, commended—

SJR 362, pages 2590, 2637

LAGRANGE HISTORICAL SITE

Alabama historical commission, transferred to—

HB 417, pages 109, 205

LAKEVIEW

Town of, boundaries altered—

HB 1358, pages 1899, 1955, 2099, 2288, 2436, 2479

LAKEVIEW FIRE AND RESCUE UNIT

Commended—

HR 376, pages 801, 933

LAMAR COUNTY

Board of education, expense allowances, members of, provided—

HB 1139, pages 1014, 1184, 1285, 2273, 2319, 2478

County officials, certain expense allowances, provided—

HB 1096, pages 867, 929, 1026, 1672, 1735, 1791

Election officials, compensation of, regulated—

HB 1011, pages 713, 929, 1024, 1675, 1744, 1791

Pistol permits, fee fixed—

HB 1140, pages 1014, 1184, 1286, 2273, 2319, 2478

Tax assessor, clerk hire allowance, increased—

HB 1010, pages 713, 929, 1024

LAMOREAUX, DR. PHILLIP E.

Commended—

HJR 23, pages 122, 137, 182, 188, 251

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State-owned, opened to the public for hunting—

HB 456, pages 116, 1183

LAND SURVEYING AND ENGINEERING SERVICES

Mechanics or materialman's liens, included under—
HB 993, pages 710, 1183, 1964, 2122

LAND SURVEYS FUND

Monies in excess of \$100,000.00 in transferred to general fund—
HB 772, pages 378, 1003, 1179, 1706, 1858, 1963, 2002, 2003

LATE FEE CHARGES

Utilities, restrictions placed on—
HB 381, pages 79, 196, 832, 833, 892

LAUDERDALE COUNTY

Bingo and charity raffles, authorized—
HB 1348, pages 1897, 1948, 2041, 2194

Citizens advisory commission, created—
HB 1346, pages 1897, 1948, 2041

Clerk of the jury commission, salary, set—
HB 1084, pages 865, 1007, 1116, 2276, 2318, 2478

Deer hunting with dogs, made legal—
HB 1363, pages 1900, 1949, 2044, 2195, 2219

Deputy sheriff, uniform allowance, increased—
HB 1297, pages 1686, 1796, 1927, 2285, 2438, 2479

Highway 14, state highway, designated as—
SB 727, pages 1656, 1657

Home rule and municipalities in, provided—
HB 1099, pages 868, 1007, 1115, 1279

License plates, by mail, issuance of, provided for—
HB 1075, pages 863, 1007, 1115, 1279, 1548

Plumbing, occupation of, licensure of, relating to—
HB 1362, page 1899

Sheriff's department, civil service system for, relating to—
HB 960, pages 704, 928, 1023
SB 615, pages 1163, 1164, 1538, 1713, 1800, 2415, 2624

Tree houses, zoning ordinances, exempt from—
SB 870, page 2248

LAUDERDALE COUNTY HIGHWAY 14

State highway, designated as—
HB 337, pages 72, 837

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ABC board employee, killed while transporting receipts, dependents, compensated—
HB 1089, pages 866, 1343, 2126

Alcoholic beverage control board, of, badges and commissioners, allowed to retain upon retirement—
HB 861, pages 472, 511, 1859, 1883

Auxiliary and reserve, training of, appropriation provided for—
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Auxiliary reserve, arrest authority, granted—
HB 53, page 16

Bill of rights, provided—
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Child abuse, records of, to be made available to all—
HB 163, page 39

Department of public safety, state police officers, to train and equip—
HB 414, page 109

Escambia county, merit system, provided—
HB 1149, pages 1015, 1184, 1287, 1367, 1549, 2400, 2471, 2479

Fayette county, civil service system, provided—
SB 853, pages 2252, 2253

Impersonating of, felony, provided—
HB 70, page 18

Killed in line of duty, children of, college tuition and textbooks costs, payment of, provided for—
HB 80, pages 20, 93, 925, 999, 1100, 1130

Longevity pay bonus, security officers for state docks, provided—
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Marion county, civil service system, provided—
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Mobile county, procedural and substantive rights of, provided for—
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Pay increase, provided—
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Phenix City, pension and relief system, relating to—
HB 1180, pages 1107, 1185, 1294, 1854, 1880, 1940

Retired, carrying of revolver by, authorized—
HB 1004, page 712

Shelby county, municipal and county, employees of, personnel board, provided—
HB 1328, pages 1893, 1956, 2103, 2516, 2540, 2754

State pay increase, provided—
HB 1134, pages 943, 1344, 1706, 1858, 1963, 2011, 2407, 2409, 2471, 2479, 2590, 2629, 2755, EX AMDT

State policemen, surviving spouse of, expanded coverage under employees retirement system, provided—
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State troopers, reserve force, establishment of, provided for—
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LAW ENFORCEMENT OFFICERS (Continued)

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Subsistence allowances, department of finance, division of service, added to those receiving—

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HB 29, pages 12, 102, 171

Tuscaloosa county sheriffs department, retirement benefits, provided for—

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Wildlife management area managers, certain increased allowances, provided—

HB 385, pages 104, 308, 836

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Wildlife management area managers, overtime pay and compensatory time, provided—

HB 286, pages 104, 837

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HB 387, pages 104, 837

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SB 473, pages 1164, 1166, 1944, 2264, 2278, 2487, 2736, 2742

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HB 1367, pages 1960, 2028, 2197, 2537, 2568, 2754,

County, provided for—

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HB 283, pages 62, 844, 956

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Aeronautics department, state, monies from leases, to go to—

SB 776, pages 1910, 1912, 2030, 2203, 2245

Board of registrars, additional days, to work—

HB 1186, pages 1109

Civil defense coordinator, expense allowance, act providing for, repealed—

HB 1080, pages 864, 929, 1025, 1672, 1735, 1791

Prisoners, use in road maintenance and building, voluntary, provided for—

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Probate judge, expenses incurred by, payment of, by county commission, authorized—

HB 956, pages 704, 849, 964, 1674, 1744, 1791

Tennessee Valley publicity and improvement association, created—

HB 1305, pages 1803, 1863, 1972, 2282, 2433, 2478

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in certain instances, provided—
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against, relating to—
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Board of education, election of, provided for—
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County historian, office of, created—
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Referendums advisory, holding of, provided for—
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Tax assessor and tax collector, salary, placed on—
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Trailers, registration and identification of, regulated—
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St. Clair county, city of part of which is in, taxes and police juris-
diction of, relating to—
HB 1292, pages 1685, 1796, 1926

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Appropriation to attend presidential inauguration, provided—
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to cover employees—

HB 673, pages 265, 1344

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Public, radio stations, operated by, sales and use taxes, exempt—

HB 479, pages 143, 521, 999, 1101, 1178, 1706, 1858, 1964

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Designated—

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Calhoun county, office of, reimbursed for monetary loss due to
errors—

HB 930, pages 531, 699, 821, 1211, 1257, 1790

Calhoun county, salary, set—

SB 841, pages 1912, 1913, 2186, 2309, 2534, 2624

Supernumerary, provided for—

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County commissions, to appoint—

HB 455, pages 116, 308

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Boats, trailers on, provided for—

HB 906, page 527

Disabled veterans, special for, cost of, increased—

HB 961, page 704

Jefferson county, tabs, disks or other devices, fee to cover mailing
costs of, provided for—

HB 923, pages 530, 843, 948, 951, 2269, 2293, 2477

Lauderdale county, by mail, issuance of, provided for—

HB 1075, pages 863, 1007, 1115, 1279, 1548

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Motor vehicle, temporary, department of revenue to design, issue
and regulate use of—
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Semi-permanent, owner allowed to retain and use on another
vehicle—
HB 415, page 109

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SB 18, pages 434, 435

Volunteer rescue squads, distinctive, provided for, taxes on, exempt—
HB 683, pages 266, 306, 925, 999, 1100, 1136, 2466, 2476, 2753

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Provided—
HB 350, pages 75, 193, 484, 485, 486, 489, 494

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Policy holders, protection against default by, provided—
HB 862, pages 472, 927

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Washington county, levied—
HB 1371, pages 1960, 2029, 2210

LIMESTONE COUNTY

Industrial promotion, county commission to make appropriation for—
HB 850, pages 470, 515, 743, 1060, 1067, 1095

Law enforcement, funds appropriated from county treasury, for—
HB 212, pages 50, 103, 173, 488, 492, 640

Roads and rights-of-way, county governing body, given powers in
regard to—
HB 849, pages 470, 515, 742, 1060, 1067, 1095

Tax collector, additional days for disbursement of taxes, provided—
SB 692, pages 1161, 1162, 1681, 1822, 1859

LIMESTONE COUNTY ELECTED OFFICIALS COMMISSION

Established—
SJR 335, pages 2015, 2026, 2188

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Physicians enrolled in residency training program, issued—
HB 301, pages 65, 96, 999, 1101, 1178, 1706, 1858, 1964, 2127

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HB 1093, page 867, 1006

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LIQUIFIED PETROLEUM GAS

Purchased from Alabama gas fields, to be either metered or weighed—

HB 84, pages 20, 95, 2123, 2124

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Talladega county, provided—

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Cleburne county, appropriation from county, for, provided—

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HB 812, page 418

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HJR 506, pages 1738, 1808, 1849, 1887, 1941

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SJR 260, pages 717, 789, 885

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Elected officials of, social security or F.I.C.A. payments, county to
pay, on—
SB 785, pages 1919, 1920, 2185, 2303, 2431

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HB 1285, pages 1546, 1863, 1970, 2285, 2438, 2479

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Ad valorem taxation, property owned by, exempt from—

HB 518, pages 149, 837, 926, 999, 1101, 1178, 1706, 1858, 1963, 1997

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Agricultural producers, used by, exempt from state sales tax—

HB 145, pages 34, 509, 925, 999, 1100, 1178, 1227, 2464, 2473, 2480

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Commended—

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LUTZ, MRS. GRAY B.

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LYMAN WARD MILITARY ACADEMY

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McCORQUODALE, HOUSE SPEAKER JOE C., JR.

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HR 28, page 127

McDANIEL, JAMES W.

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SJR 297, pages 921, 933, 1001

McDANIEL, KATHY DIANNE

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HR 597, page 2501

McDOUGAL, MIKE

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HR 517, page 1801

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HJR 80, pages 334, 386, 401, 412, 462

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Circuit clerk, expense allowance, provided—

HB 1352, pages 1898, 1955, 2099, 2121, 2288, 2436, 2478

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Department of education, state, to contract with to study services to the blind—

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Superintendent of education, need have masters degree in school administration, act requiring, repealed—

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Table wine, sale of, to conform with state law—

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County commission, expense allowances and salaries, provided for—

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Sheriffs office, employees regulated, prisoners feed allowance, provided for—

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HJR 501, pages 1707, 1849, 1887, 1941

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Named—

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HB 590, pages 161, 931, 1039, 2269, 2294, 2477

District judges, salaries, supplemented—

SB 548, pages 1913, 1915, 1953, 2216, 2247, 2431

Homemade or homebaked goods, certain, not subject to health department regulations—

SB 94, pages 433, 434, 516, 746, 792

Pistol permit fee, increased—

HB 859, pages 472, 932

Probate judge, additional fees for transfer of motor vehicles, provided for—

HB 1046, pages 777, 1953, 2095, 2120, 2520, 2595

Probate judge and employees, personal liability from errors, exempt from—

HB 839, page 423

Probate judges, compensation fixed—

HB 605, pages 208, 931, 1120, 1854, 1880, 1940

Retirement system, former member allowed to repay funds to—

HB 1048, pages 777, 931, 1045, 2276, 2317, 2478

Sheriff, expenses allowance, provided—

HB 547, page 154

Sheriff, total compensation, fixed—

HB 860, pages 472, 931, 1045, 1676, 1782, 1791

Warrant magistrate, office of, established—

HB 1185, page 1108

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Created—

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HJR 7, pages 80, 126, 131, 191

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HB 1331, pages 1894, 1954, 2097, 2537, 2568, 2754

Barbers and barber colleges, licensing and regulation of, act repealed—

SB 813, pages 2255, 2257, 2296, 2606, 2638

Board of equalization and adjustment, provided for—

HB 894, pages 525, 699, 821, 2271, 2291, 2477

Board of registrars, compensation regulated—

SB 811, pages 2254, 2257, 2296, 2605, 2638

Board of registrars, operation of, provided for—

HB 1330, pages 1893, 1958, 2097, 2521, 2532, 2568, 2754

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Constable, office of, abolished—

SB 651, pages 1655, 1657, 1864, 1975, 2116

Electors, records and lists of, transferred to the county board of registrars—

HB 743, pages 373, 411, 482, 1059, 1065, 1095

Fire departments, volunteer rural, contributions and liability insurance, allowed to make and provide to—

HB 742, pages 373, 411, 481, 1058, 1065, 1095

Jury commission, salary limits, set—

SB 812, pages 2255, 2257, 2296, 2605, 2638

Officials, contingent fund to provide traveling expenses, for, provided—

HB 744, pages 374, 412, 482, 1156, 1199, 1253

Poll workers and officials, additional compensation provided—

SB 814, pages 2255, 2258, 2296, 2606, 2639

MORGAN COUNTY HIGH SCHOOL ARCHERY TEAM

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HJR 92, page 384

MORGAN COUNTY VOLUNTEER RURAL FIREFIGHTERS

Commended—

HJR 361, pages 781, 933, 1077, 1092, 1154

MORRIS, CHIEF W. C.

Commended—

SJR 316, pages 1668, 1807, 1860

MORRIS, SR., MR. AND MRS. J. A.

Commended—

HR 448, pages 1111, 1179

MOTOR BUS

Defined, lengths and widths of, allowable, provided for—

HB 446, pages 115, 199, 1179, 1707, 1859, 1965

SB 397, pages 1920, 1921, 2027, 2487

MOTORCYCLE LICENSE PLATES

Shrine motorcycle clubs, distinctive, provided—

SB 18, pages 434, 435

MOTOR FUEL LAWS

Violators of, drivers license, allowed to be deposited as security—

HB 523, pages 150, 305

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Cullman county commissioner, additional tax on, to levy—

HB 147, pages 35, 256, 331

MOTOR VEHICLE DEALERS

Change of ownership reports, exempt from filing—

HB 1209

MOTOR VEHICLE DEALERS (Continued)

Licensing of, provided for—
HB 748, pages 374, 1946

MOTOR VEHICLE LICENSE TAGS

Temporary, department of revenue, to design, issue and regulate the use of—
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Automotive dismantlers and recyclers, privilege license for, provided for—
HB 851, pages 470, 840

Baldwin county, beaches or sand dunes, operation of, on, regulated—
HB 1374, pages 1961, 2029, 2198, 2536, 2569, 2754

Car pooling, used in, relating to—
HB 1193, pages 1110, 1343

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HB 106, pages 24, 88, 178, 1231, 1258, 1790

Change of ownership of, dealers exempt from filing report—
HB 1209, pages 1188, 1680

Department of labor, purchases of, authorized—
HB 1294, pages 1685, 1865, 2183, 2232

Disabled veterans, license taxes and registration fees, exemption, relating to—
HB 1231, page 1268

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HB 294, page 64

Hauling dirt, sand or gravel exempt from provisions of the motor carrier act of 1939—
HB 83, pages 20, 95, 1691

Liability insurance on, required before registration—
HB 144, page 34

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HB 992, page 710

Montgomery county, transfer of, probate judge additional fees for, to charge—
HB 1046, pages 777, 1953, 2095, 2120, 2520, 2595

Oversized and overweight, special permits for, provided for—
HB 361, pages 76, 92, 249, 1904, 1932, 1941, 2417, 2467, 2475, 2753

Overweight, schedule of damages on highways for, established—
HB 909, page 527

Random vehicles inspection program, provided for—
HB 313, page 67

Registration or licensing of, proof of financial responsibility as a condition precedent to, required—
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Used parts, taken in trade, sales tax to be paid on net difference—

HB 36, pages 13, 201, 449, 1179, 1547, 1693, 1707, 1711, 2464, 2473, 2480

MOTOR VEHICLE SAFETY-RESPONSIBILITY ACT

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HB 981, pages 708, 838

MOULTON

City of, boundaries altered—

HB 1293, pages 1685, 1863, 1971, 2285, 2438, 2479

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Ad valorem tax rate, increased—

HB 1365, pages 1959, 2031, 2203, 2515, 2539, 2754

MUNICIPAL CORPORATIONS

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HB 286, pages 63, 101, 734, 748, 1850, 1874, 1940

Liability insurance to cover employees, authorized to obtain—

HB 673, pages 265, 1344

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Limited driving privilege, authority to grant, provided—

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MUNICIPAL ELECTRIC AUTHORITIES

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Cities 23,000 to 27,000 population council-manager form of, allowed to adopt—

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Resource recovery boards, allowed to create—

HB 987, page 709

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Annexations, held in, validated—

HB 288, pages 63, 101, 734, 749, 2600, 2634, 2755

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HB 112, pages 25, 92, 827, 925, 996, 998, 1053

Civil service system in, firefighters, included in—

HB 561, pages 156, 514

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HB 24, pages 11, 200

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HB 287, pages 63, 101, 734, 748, 2600, 2634, 2755

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HB 285, pages 63, 101, 734, 747, 2600, 2634, 2755

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HB 236, pages 54, 308

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HB 169, pages 40, 100, 325

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SB 66, pages 1168, 1344, 1560, 1799

Incorporated, territory within boundaries, annexation of, provided for—

HB 238, pages 54, 308

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HB 766, pages 377, 695

SB 536, pages 1922, 1923, 2027

Industrial or commercial parks, power to acquire and develop, granted—

HB 41, pages 14, 101, 338, 2466, 2476, 2753

Jefferson county, subject to civil service or merit system law, in, prohibited from requiring employees of, to be residents of—

HB 941, pages 701, 843, 948, 955, 1020

Lauderdale county, in, home rule, provided—

HB 1099, pages 868, 1007, 1115, 1279

Medical clinic boards, projects approved as an undertaking by, allowed to disapprove—

HB 767, pages 377, 846

Police officers in, of 2,500 population or more, county civil service system, included under—

HB 926, pages 530, 846, 1288, 2486, 2507, 2754

Projects to promote tourism and amusements, allowed to acquire—

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Property or services, authorized to purchase from elected officials of, under certain circumstances—

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Public corporations, for public benefit and good, created in—
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Tourism, incorporation or nonprofit corporations by, to promote, provided for—
HB 35, pages 13, 194

MUNICIPALITIES 2,000 OR MORE POPULATION

Incorporated, additional alternative procedures for altering corporate limits, provided—
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Jefferson county, in, tax exemption for annexed territory, provided—
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Occupational license fees, levying, state wide limitations and regulations, placed on—
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Life sentence for, persons receiving, parole, not eligible for—
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MUSIC

Alabama Music Hall of Fame Board, established—
HB 1168, pages 1105, 1343, 1721
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NARCOTIC DRUGS

Vehicles used in transportation of illegal, confiscation of, provided for—
HB 248, pages 56, 1005

NATIONAL ASSOCIATION OF BLACK MANUFACTURERS, INC.

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HJR 619, pages 2629, 2632, 2725, 2755

NATIONAL GUARD

Amory commission, corporate name extended to as long as there is a, in Alabama—
HB 656, pages 262, 410, 1178, 1706, 1858, 1964, 2160, 2161
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Report on, Secretary of the army, requested to authorize Governor Wallace to release—
HJR 369, page 786
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HB 765, pages 377, 410, 788

NATIONAL HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT OF 1974

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NATIONAL PEANUT FESTIVAL ASSOCIATION, INC.

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NATIONAL UNIFORM AND COMPREHENSIVE GOVERNMENT LIABILITY AND COMPENSATION FUND FOR DAMAGES AND CLEANUP COSTS CAUSED BY OIL POLLUTION

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NATIONAL YOUTH ADMINISTRATION

Persons serving two or more years with, during World War II, state retirement systems, service time credited to—
SB 464, pages 1658, 1659, 1869, 2264, 2430, 2492

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Use of in public building, safety standards, public service commission, division of pipeline safety, to enforce—
HB 97, page 23

NATURAL GAS PRICES

Congress, urged to deregulate—
HJR 54, pages 214, 1857

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HB 1055, page 779

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HJR 78, pages 322, 386, 401, 412, 462

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SJR 296, pages 921, 933, 1001

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Gill or trammell, fish, taking of, by prohibited—
HB 71, pages 19, 847, 1707, 1858, 1964

NEW BROCKTON

Coffee county courthouse, moved to—
HB 29, pages 12, 102, 171

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Distribution of, provided for—
HB 578, pages 159, 303, 998, 1052, 1850, 1875, 1940

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HB 445, pages 114, 304, 926, 999, 1101, 1178, 1706, 1858, 1964, 2172,
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NEWMAN, III, JOHN H.

Death of, mourned—
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NEWTON, COACH C. M.

Honored—
HJR 417, pages 944, 1078, 1093, 1154
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NIGHTTIME DEER HUNTING

Dallas county, illegal, vehicles and equipment used in, contraband,
declared—
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Good wishes, offered—

SJR 280, pages 826, 934, 1001

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Bailiffs, compensation, fixed—

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Circuit judges secretaries, salaries, increased—

SB 515, pages 1655, 1657, 2295, 2615, 2623, 2700, 2747

District attorney, secretary and investigator, provided—

SB 673, pages 2254, 2257

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SB 753, pages 2254, 2257

Register serving most populous county in, salary supplemented—

HB 1339, pages 1895

SB 526, pages 2251, 2253

NOEL, MR. TOM

Invited to address House—

HR 439, page 1062

NOLAN, MISS LYNDIA SUE

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HJR 491, pages 1651, 1794, 1810, 1846

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Sales and use tax, exempt from—

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NON-RESIDENT CONTRACTORS

Highway department, to satisfy, taxes, have been paid—

HB 542, pages 153, 305

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Taxes, to pay, before receiving final payment on contracts—

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HB 341, pages 73, 102, 832, 833, 914, 1850, 1874, 1940

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Persons under 16 years of age, exempt from purchasing—

HB 396, pages 106, 848

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NORRIS, CLARENCE

Appropriation, provided—
HB 614, page 210

Honorary state citizenship, bestowed upon—
HB 19, page 11

NORTON, LOIS JEWEL MINTZ

Death of, mourned—
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Butler county, costs of making certain employees, to pay—
HB 1298, pages 1686, 1863, 1971, 2285, 2438, 2479

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Probate judges office, only place where allowed to file, provided
for—
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NURSES

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State scholarship program for graduate, provided—
HB 402, pages 107, 193, 999, 1101, 1179, 1706, 1858, 1964

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Clinical facilities, retirement homes or apartments operated with, to
include—
HB 1291, pages 1685, 1957

Hospital, definition of, to be included in—
HB 789, page 381

State department of public health, regulations exceeding federal
regulations, costs of, to bear—
HB 1184, page 1108

OAKLEY, JR., MR. JIM

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HJR 410, pages 934, 1008, 1171, 1201, 1253

O'BRIEN, JOHN EDWARD

Death of, mourned—
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OBSCENE MATERIALS

Certain, prohibited—
HB 1225, page 1182

Exposing of, to persons eighteen years or above, prohibited—
HB 809, page 417

OBSCENE MATERIALS (Continued)

Jefferson County, involving minors, penalties provided—
HB 1279, pages 1545, 1865, 1977

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Department of pensions and securities, allowed to destroy—
HB 799, pages 379, 696, 806, 1676, 1782, 1791

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Small business assistance act, under, created—
HB 1115, pages 1015, 1865, 2145

OFFICE SPACE

Public corporation formed for the purpose of acquiring for the state—
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OFF-SHORE OIL EXPLORATION

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HB 323, pages 69, 94

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HB 322, pages 69, 94

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HB 321, pages 69, 94, 832, 833, 907

~~OIL POOLS~~

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HJR 358, pages 780, 1856, 1857, 2321, 2472, 2479
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OPERATING LOSS CARRYOVER

State income taxes, allowed—

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Dale County, night hunting of, provided for—

HB 785, pages 380, 698, 819, 1673, 1742, 1791

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HB 728, pages 369, 1795, 1927, 2283, 2433, 2478

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provided—

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ORDER OF TAXIS

Honored—

HR 331, pages 605, 932

ORGANIZED CRIME INTELLIGENCE UNIT

Department of public safety, within, created—

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OSWALD, RICKY

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In service of the state, reimbursed for tourist fare only—

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for, relating to—

HB 30, pages 12, 93, 1179, 1707, 1859, 1965

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OVERWEIGHT VEHICLES

Schedule of damages on highways for, established—

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OWEN, MRS. PATSY P.

Appropriation, for the relief of, provided—

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OWENSBY, MR. AND MRS. HARVEY

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HR 366, pages 785, 933

OXFORD HIGH SCHOOL BASKETBALL TEAM

Commended—

HR 464, page 1183

OXFORD HIGH SCHOOL GIRLS GYMNASTICS TEAM

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Jefferson county, membership in, relating to—

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PANELL, JOSEPH L.

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Persons receiving, under certain circumstances, payment to, provided for—

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PARK AND RECREATION AUTHORITY

Pickens county, created—

HB 1372, pages 1961, 2029, 2198, 2538, 2569, 2754

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Tuscaloosa county, created—

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PARKER, MISS CARLA

Congratulated—

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PARKER, MR. AND MRS. LOYD

Commended—

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PARKING FACILITIES

Cities 34,000 or more population, authorized to develop—

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Aged, infirm or handicapped prisoners, of, provided for—

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Life sentence, persons receiving for certain crimes, not eligible for—

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Persons convicted of felonies involving bodily harm, sentences imposed without, provided—

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Sales and use taxes, exempt from—

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Mobile county, personnel board, to adopt—
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SMOKING

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HJR 578, page 2491

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HB 784, pages 380, 693

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Acceleration of, in state, provided for—

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SOUTHEAST CHOCTAWHATCHEE RIVER WATERSHED ASSOCIATION

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HB 28, pages 12, 1957

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or places, to give notice to—

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STATE ATHLETIC COMMISSION

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STATE BOARD OF REGISTRATION FOR FORESTERS

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Steering committee to represent rural community fire departments, to establish—
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SB 815, pages 2255, 2258, 2296, 2607, 2639

SB 817, pages 2256, 2258, 2296, 2608, 2639

- Treasurer, expense allowance, repealed—
SB 818, pages 2256, 2258, 2296, 2608, 2639

- Voter lists, purged—
HB 1079, pages 864, 2185, 2308

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- Appropriation, provided—
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WALKER, MR. AND MRS. WILL

- Commended—
HR 345, pages 727, 790

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- Speedy recovery of, wished—
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- Accomplishments, noted—
HJR 490, pages 1650, 1807, 1848, 1887, 1940

WALLACE, GEORGE C. & HIGHWAY DEPARTMENT

- Commended—
HJR 355, page 733

WALLACE, GOVERNOR GEORGE C.

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HJR 451, page 1122

WALTER WELLBORN HIGH SCHOOL PANTHERS FOOTBALL TEAM

Commended—

HR 32, page 130

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Montgomery county, office of, established—

HB 1185, page 1108

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HB 820, pages 419, 465

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HB 633, pages 258, 848

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HB 1007, page 712

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Commended—
HJR 98, pages 414, 491, 522, 640

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Certified public, licensing of, provided for—
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HR 397, pages 871, 933

WESTMINSTER CHRISTIAN HIGH SCHOOL BASKETBALL TEAM

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SJR 265, page 643

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HJR 112, pages 477, 535, 1077, 1091, 1153

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HJR 560, pages 2280, 2322, 2472, 2479

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Probate judges, clerk hire allowance, provided—

SB 664, pages 1655, 1657, 1864, 1978, 2116

WILDER, MR. AND MRS. MORRIS

Commended—

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HB 540, pages 153, 769, 875, 1210, 1256, 1790

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HB 685, pages 313, 411, 480, 735, 804

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16th annual, noted—
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Named—

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ZONING CLASSIFICATIONS

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